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AMISTAD CASE

Selected letters (1839-1888) in the

Baldwin Family Papers (MS Group No. 55)

and

Dacon Family Papers (MS Group No. 46)

Microfilmed at the Yale University Library

February 1970



# Yale University Library

New Haven Connecticut 06520



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HISTORICAL MANUSCRIPTS & UNIVERSITY ARCHIVES  
PHOTOCOPY ORDER FORM

①

NAME MRS. KAY COUSINS JOHNSON

DATE 1-20-70

ADDRESS 3518 W. CAHVENG A

LOS ANGELES CALIF

ZIP CODE

XEROX

MICROFILM

OTHER

RE: AMISTAD CASE

MATERIAL TO BE DUPLICATED

NAME OF COLLECTION	BOX NUMBER	AUTHOR	RECIPIENT	DATE OF MANUSCRIPT YEAR	MONTH	DAY	DESCRIPTION
BALDWIN FAM	35	SEGGWICK	RS BALDWIN	1839	JAN	16	
		TOWNSEND	"	1839	AUG	30	
		STAPLES	"	1839	SEP	4	
		BROWN	"	1839	SEP	12	
		TAPPAN	"	1839	SEP	12	
		LEAVITT	"	1839	SEP	16	
		LORING	"	1839	SEP	19	
		COREY	"	1839	OCT	4	
		TAPPAN	"	1839	OCT	12	
		"	"	1839	NOV	11	
		"	"	1839	NOV	21	
		RS. BALDWIN	SALES SECTION	1839	DEC		ARTICLE SIGNED "JUSTICE"
	36	GRISWOLD	GALLAGHER	1840	JAN	13	
		BALDWIN & CO	RS. BALDWIN	1840	JAN	20	WITH ENCLOSURE FROM GINNELL, MINTURN & CO.
		STAPLES	"	1840	JAN	21	
		RS. BALDWIN	GINNELL, MINTURN & CO.	1840	JAN	22	
		JUDSON	RS. BALDWIN	1840	JAN	24	
		TAPPAN	"	1840	JAN	27	
		R.S. BALDWIN	GINNELL, MINTURN & CO	1840	FEB	13	
		MR. RS. BALDWIN	RS. BALDWIN	1840	FEB	29	
		TAPPAN	"	1840	FEB	29	



# HISTORICAL MANUSCRIPTS & UNIVERSITY ARCHIVES

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(2)

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RE: AMISTAD CASE

### MATERIAL TO BE DUPLICATED

NAME OF COLLECTION	BOX NUMBER	AUTHOR	RECIPIENT	DATE OF MANUSCRIPT YEAR	MONTH	DAY	DESCRIPTION
Baldwin Fam	36	Johnson	R.S. Baldwin	1840	MAR	26	
		TAPPAN	"	1840	APR	18	
		"	"	1840	APR	24	
		"	"	1840	APR	27	
		R.S. Baldwin	STORRS	1840	MAY	4	
		TAPPAN	R.S. Baldwin	1840	MAY	5	
		R.S. Baldwin	STORRS	1840	MAY	18	
		"	"	1840	MAY	20	
		"	FORSYTH	1840	SEP	9	
		TAPPAN	R.S. Baldwin	1840	SEP	9	
		"	"	1840	OCT	16	
		R.S. Baldwin	TAPPAN	1840	OCT	19	
		Johnson	R.S. Baldwin	1840	OCT	26	
		TAPPAN	"	1840	OCT	28	
		R.S. Baldwin	J.Q. Adams	1840	NOV	2	
		TAPPAN	R.S. Baldwin	1840	NOV	3	
		J.Q. Adams	"	1840	NOV	11	
		TAPPAN	"	1840	NOV	11	
		SEDGWICK	"	1840	NOV	16	
		TAPPAN	"	1840	NOV	21	
		"	"	1840	DEC	16	



# HISTORICAL MANUSCRIPTS & UNIVERSITY ARCHIVES PHOTOCOPY ORDER FORM

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RE: AMISTAD CASE

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NAME OF COLLECTION	BOX NUMBER	AUTHOR	RECIPIENT	DATE OF MANUSCRIPT YEAR	MONTH	DAY	DESCRIPTION
BALDWIN FAM	36	TAPPAN	RS. BALDWIN	1840	DEC	24	
		WILSON	"	1840	DEC	29	
		TAPPAN	"	1840	DEC	30	
	37	"	"	1841	JAN	8	
		ELIZ. BALDWIN	MRS. RS. BALDWIN	1841	JAN	13	
		"	"	1841	JAN	15	
		RS. BALDWIN	"	1841	JAN	17	
		TAPPAN	RS. BALDWIN	1841	JAN	20	
		RS. BALDWIN	U.S. SUPREME CT.	1841	JAN TERM		PLEA.
		"	MRS. RS. BALDWIN	1841	FEB	2	
		LINQUE (SLAVE)	RS. BALDWIN	1841	FEB	9	
		"	"	1841	FEB	9	COPY
		RS. BALDWIN	MRS. RS. BALDWIN	1841	FEB	15	
		MRS. RS. BALDWIN	RS. BALDWIN	1841	FEB	19	
		RS. BALDWIN	MRS. RS. BALDWIN	1841	FEB	19	
		J.Q. ADAMS	RS. BALDWIN	1841	MAR	9	
		TAPPAN	"	1841	MAR	9	
		JOCELYN, ETC.	"	1841	MAR	11	WITH DRAFT OF LETTER APR. 2
		RS. BALDWIN	LEWITT, ETC.	1841	MAR	12	WITH DRAFT OF LETTER APR. 2
		"	J.Q. ADAMS	1841	MAR	12	
		KNNA (SLAVE)	RS. BALDWIN	1841	MAR	15	



HISTORICAL MANUSCRIPTS & UNIVERSITY ARCHIVES  
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		TAPPAN	"	1841	MAR	17	
		SEDGWICK	"	1841	MAR	18	
		TAPPAN	"	1841	MAR	22	
		LEAVITT, ETC.	"	1841	MAR	24	
		COLUMBUS, OHIO NEGROES	"	1841	MAR	30	
		PETERS	"	1841	MAR	31	
		LEAVITT	"	1841	APR	1	
		TAPPAN	"	1841	APR	1	
		R.S. Baldwin	TAPPAN, ETC	1841	APR	2	
		J.Q. Adams	TAPPAN	1841	APR	3	WITH LETTER TAPPAN TO BALDWIN APR 13
		STABLES	R.S. Baldwin	1841	APR	6	MEMO
		JUDSON	"	1841	APR	7	
		TAPPAN	"	1841	APR	9	
		LEAVITT, ETC.	"	1841	APR	15	
		TAPPAN	"	1841	APR	17	
		R.S. Baldwin	TAPPAN	1841	APR	23	
		BROWNE	R.S. Baldwin	1841	MAY	10	
		R.S. Baldwin	TAPPAN	1841	JUN	12	ON BACK OF LETTER JUN 12
		"	GRINNELL, HINTURN & Co	1841	JUN	14	
		GRINNELL, HINTURN & Co	R.S. Baldwin	1841	JUN	16	



⑤

Johnson

DATE 1-20-70

ADDRESS

ZIP CODE

**XEROX**

MICROFILM

OTHER

RE: AMISTAD CASE

**MATERIAL TO BE DUPLICATED**

[illegible]



Hartford Jan'y 16<sup>th</sup> 1835

My Dear Sir

Many thanks for yours with  
the Amiable decision. Your District Judge  
is a singed cat or like one according to the  
saying - I like the decree much - & entirely  
accord that we should make no attempt to  
disturb it. Mr. Staples is of the same  
mind & I think we ought alone to  
say that ~~while~~ we will have nothing to  
do with an appeal - The case is too  
important to be controlled by a few un-  
reasonable individuals. Mr. Tappan  
is entirely satisfied.

I would finish this paper  
on my way to Albany I had not  
time to do so before I left for  
Long Spring N. J. - Yours truly

Theodore Tappan

R. T. Baldwin Esq  
Hartford



Newbury Aug 30 1879

Dear Sir

You will probably have learned that the "Low  
long black looking schooner" Amistad has been brought  
into this District & has been taken into possession of the  
Marshall. Of course I suppose that there will be  
a trial before the court in this District which will  
involve questions of much interest to the poor Africans,  
as well as of intricacy in regard to international law.

Mr. Foster has written me from New York  
requesting me to see you on the subject & request your  
aid. As the prisoners will doubtless be allowed counsel  
by the court - it is important that they should have  
counsel not merely nominal as it respects legal  
acquirements or of principle & feeling towards those who  
are so destitute of friends & advisers.

Will they not be allowed to choose  
their own counsel, & means provided by the court to  
conduct their defense? Would you be willing to  
undertake their cause? Mr. Staples has been seen &  
will engage in the case if the parties will. Mr. Foster  
writes me "If Mr. Staples can be employed with Mr.  
O'Brien please write him immediately as he may be  
engaged on the other side."

Finding as you do that you are not to



return until Sept. I take the liberty to write this  
& would be glad of a reply as soon as may be, - with  
any suggestions you may be disposed to make on the  
subject.

The schooner has not yet arrived, but is  
highly expected here from New London.

Very Respectfully Yours  
Thos. Munroe



New York Sept 4. 1839

R. S. Balch Esq.

Sir I am informed by the friends of the black prisoners lately brought to New-York that you have been or are to be retained for them. I have been engaged and where necessary will attend - Our family are in so much affliction that I cannot leave now. I wish to say that I understand an interpreter goes up this Boat who understands several negro dialects and shall be glad to hear what you may learn thro' him.

I also wish to say that I think it all important that the Marshal should procure flannel clothing for these miserable beings immediately or he will freeze them all down soon with the probably the inflammatory rheumatism or some other disease that will confine them and that they should every two or three days in fair weather be taken out and made to walk some distance - I have so written to the Marshal at the request of friends here.

P.S. As soon as you can find out what proceedings are intended in this case please inform me.

Yours &c J. P. Stapley



Dr. H.

I know by the pleasure of a personal acquaintance with you, but professional. I need be always sufficiently acquainted to oblige unimpaired ceremony - I therefore take leave to write to you in regard to a matter in which we both feel an interest.

I have been engaged to take part in the trial of Conger and others upon the charge of Treason and Murder on the High Seas. - At any sacrifice I shall and conscientiously say duty to those unhappy men, but at the same time I do not wish to lose time unnecessarily - I presume the case will not be tried before Monday week - some day, perhaps will close before the indictment will be found - the defendants will be called to for days, not after Bill found, and thus the first week will be consumed - Such are my views, but as you are nearer the scene of action than I am, you will do me a favor by apprising me of the exact position & progress of the business, and by all means afford me an opportunity of being present at the opening of the trial.

Very Truly Yrs

David Paul Brown  
Sept. 12 1839

RS Bledman Esq



New York, Sept 12/39.

Dear Sir,

On arriving here I found a letter from Mr Choate, of Boston, saying that he regretted to say that a previous & unavoidable engagement would prevent him from acting as counsel in the case of the African prisoners. The Committee, after consulting Mr Staples, engaged Theodore Sedgwick Jr. Esq. His office is in the same building with Mr Staples; he is an active & talented young lawyer.

We have also concluded not to retain the counsel, but in case the friends of human rights at Boston, Philadelphia &c. choose to retain eminent counsel to be associated with the three gentlemen retained by the Committee they can do so; leaving it to Mr Staples, as Senior Counsel, to arrange, with the Committee, who will open the case and argue it.

Gov. Ellsworth, we learn, has offered his services. Our Boston friends think of employing Mr Richard Fletcher, late M. C. The



Philadelphia express an intention of retaining  
John Sergeant, or D. M. Brown, Esq.

We shall rely upon you to prepare the  
cause for trial & probably to open.

So much anxiety is expressed that every  
precautionary measure should be taken in case  
the Gov<sup>t</sup> should attempt suddenly to remove  
the prisoners that the Com<sup>d</sup> wishes you to prepare  
a writ of Habeas Corpus immediately, & to have  
all the arrangements made, and at hand, to  
serve it in case of necessity.

The Spanish minister has demanded  
the prisoners to be sent to Cuba. Our Gov<sup>t</sup>  
will doubtless surrender them if they can  
obtain it not be well for you to advise with  
Gov<sup>t</sup> lawyers as to what measures will be  
taken by the Gov<sup>t</sup> of the State of Conn. in case  
the Gov<sup>t</sup> of the U.S. interferes untowardly.

We ought to have some trusty man  
to watch the proceedings of the Marshal &  
with reference to the prisoners, & to give you  
immediate notice in case of necessity. I  
have written to Mr. Amos Townsend on this  
subject.



Mr. Stott says our courts may  
I must regard laws of Spain as founded  
upon treaties with other powers. I have  
obtained from the British Consul 7 vols  
of Parliamentary documents of recent date  
that throw much light upon this subject.

You will see in the Emancipator  
of this week, a copy of which I send  
to you, a letter from Judge. Lay,  
containing important references.

If I can get an Emancipator of  
July 11<sup>th</sup> containing notices of the cor-  
respondence between Lord Palmerston &  
Mr. Stevenson, I will send it to you.

Respy. yours  
Lewis Tappan

The Spanish article in  
the Express & American has  
alarmed many persons, but  
Mr. Stott thinks of replying to  
it in the American.



[Sep. 16, 1839]

Who will trust the present administration in regard to law when more  
but the lines of foreign blacks are concerned? It will be too late to get persons  
perhaps soon. - The Com. do us harm to secure to them. Ready to meet  
since the Africans and is great regret - J. J. Jacoby

New York, Monday 3<sup>rd</sup> Dec 1839

Dear Sir  
Your letter came to  
hand shortly after 2 o'clock, &  
as soon as I could see Mr. J. J. Jacoby, we  
read over your statement &  
sent it to the Com. for their  
it will go to the same way  
amended.

David Paul Brown has  
offered to assist in trying the  
case. I have not accepted him  
not knowing whether it would  
be acceptable to the other counsel.  
Can you ascertain this?

Choate cannot attend to it  
much to his regret. The other  
friends remain and Fletcher.

What do you think of a public  
meeting in the Warehouse  
& have Barnes address <sup>with others</sup> there  
If you think favorably of it  
please engage him. I have  
written to Francis Payson to  
write on Monday <sup>the 18th</sup> - I often  
has just enlisted for W.D. & it is  
not likely he will go. Yours  
Herbert



I leave it  
to you

I leave it  
to you  
M. J. Robinson Esq,  
New Haven

The Globe says they are to be given  
up to Spain - Don't trust to  
promises, but have the Unit  
of Hebrew Copies ready by all  
means.



Boston, Sept. 19, 1839.

Dear Sir,

I have this afternoon mailed you a letter directed to Hartford, giving information of a very intelligent young man here who speaks three African languages, Ah-nee-go, - Mandingo and Mah-kee-no - besides Spanish - and who speaks English very well.

I have given a <sup>Taken from his lips</sup> short vocabulary of 20 or 30 of the most common words, - in each of the African languages, - that you might be able to ascertain whether he would probably be of service to you as an interpreter.

I have requested the Postmaster at Hartford (in a note on the corner of my letter) to forward it to you



at New Haven, if you should have  
left. Perhaps you would do well  
to write to some friend in Hartford  
to see that this direction is attended  
to.

Yrs respectfully

Ellis Gray Loring,

No. 27 State St

Boston.



James Booy a colored man apparently about  
eighteen years of age, being duly cautioned  
and sworn deposes and says.

That he has seen and conversed with  
all the colored persons who were taken from the  
La. Amistad and are now confined in  
New Haven County Jail, except two, whose names  
are Mome, and Pie, and Antonio, the endle  
who was the servant of the Captain of said  
vessel, as he is informed, The above mentioned  
<sup>persons</sup> colored, with whom he can converse, speak  
the Mandi language, which is a native African  
language, and was taught me by my  
father and mother, and the words of the  
above mentioned colored persons are the  
words which I use, and we will understand  
each other when speaking the Mandi. The  
names of the Africans who are now in said  
Jail have appropriate meanings, the  
name Old Fuleh means "the sun". The  
name "Gua buung" means "God save us". The  
name "Kumbo" means an animal which  
the English call a "Cricket". The name "Yam-  
moni means "Sea Duck".



The name "Pung-wani" means "English Dusk".  
These prisoners speak of the River "Mwa", of the  
place "Lomboko" both of which I have seen, in  
Africa, and they speak no language except  
native African, and from their language and  
manners, and appearance, I am sure they are  
native Africans. I learned to speak the English  
language in Sierra Leone, and have been  
taught to read, <sup>and write</sup> and have been employed to  
interpret to Mr. Joshua W. Gibb the account  
which the above Africans give of themselves,  
and have truly interpreted the questions of  
Mr. Gibb to them, and their replies to the  
questions, and saw him take down their  
answers in writing. I was born in the Mandi  
country, in a place called Gho:ron, and  
there the Mandi is my native language.  
I conversed with these Africans separately  
in the presence of Mr. Gibb, and they are  
consistent in their <sup>his</sup> story of the place from  
which they sailed in Africa, and of their  
voyage, to the Aswan, the route which



happened then and their voyage to the United  
States. They each one say they were three moons  
from Africa to Havanna, and landed near  
Havanna, passed through it, were about ten  
days on the Island, and then went on board  
the Consuelo. I am a sailor on board the  
British Brig of War Barrad now in New York.  
And further the Depoant saith not.  
James Covey

State of Connecticut

County of Naugatuck J. Naugatuck Feb<sup>y</sup> 4 1839 then  
and there personally appeared James Covey  
who signed the foregoing deposition in my presence  
and made solemn oath to the truth of the same  
before me  
Samuel J. Hittcock Judge of  
Naugatuck County Court.

The foregoing deposition was reduced to writing by me in the  
presence of James Covey the witness who was examined  
separately and sworn to testify the whole truth, and was  
by said witness subscribed in my presence, and such other  
actions are taken at the request of Roger G. Baldwin Esq. as is  
required for "Fido", "Gubany", "Kimb" & sundry other persons mentioned



in the foregoing disposition now confined in New Haven County  
Jail, and also have been libelled for salvage by Thos. R.  
Gedney & Co. together with the Schooner Amistad and her crew  
go, which Libel is now pending before the Hon. District Court  
for the District of Conn to be settled by agreement or at  
Hartford in said District on the 19<sup>th</sup> day of November 1839  
The reason for taking said disposition is that the vessel  
James Barry is bound to run in the British Brig of War  
Providence from the port of New York. The learned Judge  
Libellants R. J. Ferguson Esq of New Haven was duly notified  
to be present at the taking of said disposition but did  
not attend. I am not attorney nor of counsel, nor in  
any way interested in said cause. Certified by  
me

Samuel J. Stillworth Judge  
of New Haven County Court

~~James Barry is bound to run in the British Brig of War  
Providence from the port of New York. The learned Judge  
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any way interested in said cause. Certified by  
me~~

W. B. K.  
6-11-1839  
107

Oct 4, 1839







I enclose the former Certificate, and references to the Statute from Mr Sedgwick.

I mean to have the affidavits, with new Certificate, returned to me soon as possible, by mail, or some very trusty hand.

We met with difficulty with the first Judge applied to, but Judge Edwards said there was no objection that Popis meant Ruess. This was anticipated, & I had to get affidavits from the Ruess man, then from the Ruess man.

On applying next to Judge Bailey he pointed out the error in the Certificate. The object is to bring suits in different Courts.

I learn that Ruess left here yesterday afternoon in the Hartford Boat. Whether he stops at New Haven we cannot say. Mr Staples thinks you had best have him arrested at once if he is in your city. If he has gone to where I have told me as usual to have him arrested wherever he is.

It is better to have both Masters and Ruess arrested in Connecticut <sup>than</sup> here. By writing to Dwight P. Jones of New London and someone at Hartford, with directions how to proceed, we may be able to ar-

rest both of the Spaniards should they go to either of those places. Meantime, on the return of the affidavits, we will be ready for them here.

I suppose it will be necessary to detain



James Covey as a witness & interpreter. If so will you have him subpoenaed, and evidence of it forwarded to me for Capt Fitzgerald of N. B. M. Brigantine Burrard, who will want it to exhibit on his return to his station. The other young Africa can return to the Brig.

The word Pepi should, I learn, be spelled Pepe, and is a sort of nickname given by Spanish slaves to their masters, equivalent to father or old man.

Ifs Ruiz and all enter. will probably be in <sup>now or shortly</sup> connection, it is important that prompt measures be taken to arrest them.

I enclose for your perusal a copy of a characteristic letter from John Quincy Adams to Mr. Quincy, a lawyer & friend of mine at Boston. Beside kindly as to return it to me.

Did Mr Townsend say to you that your draft at one day's sight on S. W. Bonded 143 Nassau St. for fifty dollars would be duly honored?

Respectfully yours  
Ellis Tappan



New York, Nov. 11/39.

H. S. Baldwin, Esq

New Haven

Dear Sir,

The following persons should be sub-  
poenaed as witnesses to attend the Dist<sup>t</sup> Court at Hartford  
on the 19th instant. Cannot interest be made with  
the Dist<sup>t</sup> Atty to have them, or some of them, sub-  
poenaed on behalf of the U. S. so as to save us the ex-  
pense? - If so please have it done. -

1. John Jay Hyde, editor of the New London Gazette  
who can testify that Ruin told him the negroes  
were just from Africa.
  2. Samuel Hale, <sup>of New London</sup> he and Dwight P. James ask Ruin  
if the negroes could speak English - he replied "one of them  
can speak a few words in English" James said "Can  
they speak Spanish?" Ruin replied, "Oh no, they are  
just from Africa or recently from Africa". How is this,  
said Mr James, that one of these men can speak English?  
"Why", replied Ruin, "they probably learned it on the coast of  
Africa".
  3. Dwight P. James of New London
  4. R. R. Madden, M. D. British Agent for Liber-  
ated Africans, Havana, now in this city.
  5. Professor Gibbs, Mr Day & Co.
- Respectfully yours Leeds Tappan



R. S. Baldwin Esq,  
New Haven,

New York, Nov. 21, 1839.

Dear Sir,

Mr Smith of Hartford handed me a Subpoena for Jas Covey & Dr Madden with a request that I would have it served on Dr M. and return it to the Marshal or U.S. Clerk at New Haven before the 19<sup>th</sup>. It had been served on Covey.

I handed it to the Dy. Marshal here, but he did not find Dr. M. nor return it to me personally. I enclosed it to Rev. Joshua Leavitt, Hartford, but it arrived after he left that City. I have written to have it sent to you.

Dr. M. expects to sail for England on Monday. If his expenses as an U.S. witness can be paid it will be very acceptable & I will thank you to write me what sum I may advance him therefor.

Dr. M. was greatly pleased with yr management of the case, as was Mr Leavitt.

Respectfully  
Yours  
Lewis Tappan



Prof. Gales & Son

I have noticed with surprise the expression of an opinion, in the National Intelligencer, that it is the duty of the Executive, under our treaty with Spain, to cause the Africans of the Amistad to be delivered up, as property, to the Spanish claimants. As the case of these unfortunate persons, — all of whom, (as they are able satisfactorily to prove,) were, within the last eight months, feloniously kidnapped in their native country, — is now pending before that department of the Government, whose power by the constitution, "extends to all cases in law and equity arising under the constitution, the laws of the U. States, and Treaties made in their authority," it ~~seems to me to be~~ a departure from the course you have been accustomed to pursue in similar cases, to anticipate its decision, or seek to influence it, by invoking the interference of the Executive, with the appropriate functions of the Judiciary.

The 9th article of the Spanish Treaty provides that "all ships or merchandise whatsoever which shall be rescued out of the hands of any pirates or robbers on the high seas, shall be brought into some port of either state, & so be delivered to the custody of the officers of that port, in order to be taken care of and restored entire to the true proprietors, as soon as due & sufficient proof shall be made concerning the property thereof.

No one, will, of course, deny, that this provision in the Treaty is obligatory on our Government, in all



cases which come within its language or spirit,  
But few, it is believed, will concur in the opin-  
ion that conflicting claims in regard to the  
proprietaryship of property, or the still more  
sacred right of personal liberty, are "questions  
to be settled by the Executive, and not by the  
Judiciary."

The same Treaty which contains the provision  
already cited, points, in its 20<sup>th</sup> article, to "the  
Courts of Justice" as the proper department of the  
Government to which resort is to be had by the citi-  
zens of either State "for the recovery of their properties,  
the payment of their debts, and for obtaining sat-  
isfaction for the damages they may have sus-  
tained," whether the persons whom they may sue  
be subjects or citizens of the country in which they  
may be found, or any other persons whatever. The  
proceedings may have taken refuge therein; and the proceedings  
of the said Courts shall be the same,  
if the contending parties had been subjects or  
citizens of the said country."

If a vessel laden with merchandise, and  
claimed to have been rescued from pirates or  
robbers, is brought into a port of the U. S. it  
is obvious that before it can be delivered up  
to a Spanish Claimant, or Minister acting  
in his behalf, two questions of fact are to be  
determined: first, whether those who were found  
in actual possession of the property, were really  
pirates or robbers, — a fact which is never to be  
presumed, <sup>but the contrary</sup> until confessed, or judicially ascertained;  
and secondly, whether the claimant, or if there  
be more than one, which of them is the true  
proprietor of the property? There are grave



questions, simply affecting the rights of the parties,  
requiring for their solution a judicial examination  
before a tribunal where all who are interested  
may appear and be heard.

If immovables property be the subject of such  
issue, then who were found in possession of  
the property at the time of the issue, are presumed  
to be its owners, and the burden of  
proof necessarily rests upon him who claims the  
contrary. And if the facts of piracy be established,  
the question of ownership still remains open, to be  
determined by all who may choose to assert their title.

The property may have been shipped from a Spanish  
port, and accompanied by papers prima facie im-  
porting that it belonged to Spanish owners; but no  
lawyer will contend that those papers would  
preclude an Englishman, or an American, from  
proving title to the property in our Courts, and show-  
ing that the pretended papers were either fraudu-  
lently obtained, or as is claimed to have been the  
case with the papers of the Arcturion, used to  
cover persons or property fraudulently substituted  
for that which is described in the license.

The danger of permitting questions like these to  
be decided, — without right of appeal — by the Executive  
is shown no judicial powers are confided by our con-  
stitution, is sufficiently obvious, when property alone  
is the subject of contention. How much more import-  
ant is it that such powers should not be conferred by  
the Executive, when questions of personal liberty, and  
perhaps even of life and death, are involved in the issue.



our obligations to Spain, under the Treaty, and to be ascertained, and fulfilled, in consistency with our duties to the inhabitants of the countries, with which the United States are in amity, and with the fundamental principles of right and justice which lay at the foundation of our institutions. Not only is the language of the Treaty to be expounded in accordance with these principles, but our duty in regard to the rights of others, then judicially ascertained by our Courts, is just as imperative without a Treaty stipulation or Covenant, as with it.

If the laws of Spain, equally with the laws of the United States <sup>have since 1820</sup> denounced the African Slave Trade as felonious and piratical, it is as much the duty of our Courts, to render justice to the victims of a Spanish Slave, then brought before them without any wrongful act on the part of our own Government or its officers, as it would be if their wrongs were inflicted by American citizens. The question as to the validity of the capture of a Spanish Slave, by an American armed vessel, and the obligation of our Courts in such case to repair the wrong by restoring things as they were at the time of such capture, rest on a different principle. That was the case of the Antelope, in which the Supreme Court was equally divided in opinion as to the obligation to restore.

Will any one deny that the right of an English man, illegally held as a slave by a subject of the Regency of Algiers, to assert his



liberty in our Courts, when casually brought within our jurisdiction, would be just as perfect, as if our Treaty with Algiers contained no provision for the restoration to the owners, of shipwrecked property? Does any one believe that the Executive of the U. States, would for a moment, in such a case, think of assuming jurisdiction over the person of the Englishman, or that he would deliver him up to the Algerine Consul or Claimant as a slave, because he is named as such in the papers of the Corsair? and because our Treaty obliges us to deliver up ~~to~~ the Algerine owner, without discrimination, his property cast upon our shores? No. we may rest assured that no such power will ever be conferred by the American Executive: It is confided to him neither by the Constitution, nor the Treaty. Its exercise would not be endorsed by the American people.

There is no analogy between the case of the Africans of the Amistad, and that of the American slaves cast away in the Bonet and Encor-minium, and liberated by the British Colonial authorities. They were not the victims of a trade traffic. They were not the victims of a trade denounced as piracy by our laws & who would consequently have been entitled to freedom here. They were conceded to be slaves by the laws of the State from which they were shipped, and were liberated from the possession of their owners by the active interference of the Colonial Government. But the Africans of



The Amistads were never slaves. They were  
feloniously kidnapped and brought to the S.D.  
of Cuba, in violation of the laws of Spain, and  
were then legally free. No Spanish Tribunal  
has ever pronounced them to be slaves; nor were  
these individuals described as such in the papers  
of the Amistad. Ruiz & Montez obtained a  
license or permit to ship a certain number of  
negro slaves, (a term wholly inapplicable to Afri-  
can negroes imported since 1820.) without any  
description, or designation of nature, except by  
certain Spanish names, which these individuals  
do not recognize, & by which they were never  
known. This license, which could only have  
been obtained, according to the statement of S. Montez,  
from the Spanish Commission, by a false representation,  
was used as a cover by Ruiz & Montez for  
the shipment of Bozal (or newly imported) ne-  
groes, who were slaves, & a large proportion  
of whom must have been born since the prohibi-  
tion of the traffic, in Ruiz & Montez very well  
known. When found on our coast, the Africans  
were defacto as well as de jure free. And  
the question now is - not whether these who were  
slaves by the laws of Spain and are found cas-  
ually here in the possession of their owners, shall  
be liberated by our Courts, but whether men and  
children who were born free, & who have never been  
held as slaves for a moment, except as the vic-  
tims of piracy and fraud, shall when they have  
escaped from bondage and sought an asylum in our  
Country, be reduced to slavery by the active inter-  
ference of the Executive, or of the Judicial Tribunals of our  
Country. Even if the Municipal law of Spain would



tolerate the holding in slavery of free persons  
thus illegally introduced; the question of liberty  
or property ~~must~~ must, on the principles assumed  
by our own Government, in their correspondence  
with Lord Palmerston, be here "determined by  
some other test than the municipal law of  
Cuba or Spain, to which these Africans" have  
never voluntarily submitted themselves." But in  
the present case they are equally free, by the  
law of Spain - and of the United States, as well  
as by the laws of Portugal. Justice.







The article of the Treaty by saying the subject  
 of the subject & applying it to satisfy the claim  
 of the creditor. But a question by him the same  
 idea? 2. stipulations intended for the injury  
 of justice to private claimants who rights not  
 depend on an examination of evidence, and from  
 the claim does not arise out of any wrongful act  
 of the Government itself, have always been regarded as  
 of judicial and of Executive cognation. Foreign  
 relations. The negotiator with civil states in relation  
 has to know the structure & organization of the  
 judicial power, and stipulations for the protection  
 of private rights to  
 the extent of protection of private rights to  
 property who are secured by different modes, as in  
 some referred in them for to when the judicial  
 execution depends on distance, to the Congress  
 of the Union. And it was with a view to the  
 universal protection that the Constitution in the  
 Article that was doubly intended, putting to the  
 Court of other courts in the place of resort for  
 the recovery of the subject by foreign & stipulating  
 for the same justice as in them referred to the claim  
 of the Court.

Foreign relations  
 subject to Executive

The case referred to by you correspondent being  
 one of course peculiar to every lawyer.  
 The case of *Smith* was decided & justified on the  
 ground that it was "in its nature" a Ch. J.  
 Marshall said (See 5 Cr. 286) "a national and  
 upon the nation." It was not a question in which  
 any subject of Great Britain had an interest. It was  
 a claim under the Treaty that the Execution of  
 a claim proposed the means of executing? And that  
 was the principle on which C. J. Marshall said  
 that the Execution in the case which was  
 taken. But did Chief Justice in that case under-  
 take to decide the facts upon which it was the duty  
 and that the case pedes had arisen.



Am-Bowen Jan 13. 1840.

Dear Sir.

The kindness with which you have ever treated me, & the interest you have ever manifested in my welfare leads me to trouble you at the present time with matters concerning which I feel the need of the counsel of judicious friends & wisdom from on high.

I suppose you are already ~~aware~~ aware of the decision of Judge Lusk in respect to these Africans in our jail. & that now it is probable, that they will within a few months be sent back, or at least be on their way to their native land. The scene that ~~took place~~ presented itself when ~~the~~ ~~was~~ in formal that they were not to be sent back to Africa but returned to Africa was exceedingly interesting. They seemed overjoyed. Cinque with some six or eight others cast themselves at the feet of the one ~~who~~ communicated to them the joyful news. Language could not express the joy they felt. They were ~~as~~ ~~well~~ ~~there~~ by Sir Lippin-  
gton they wished to have teachers go with them to Mendic. They replied, yes... & gave the same answer ~~upon~~ <sup>to</sup> the question if they wished Mr. Griswold to go. I asked them what they would do to me, if I should go. Cinque leaped from his seat, & running across the room threw himself at my feet expressing I suppose <sup>by the act</sup> a willingness to do whatever I should wish. <sup>and</sup> assured me that ~~they~~ <sup>all</sup> would take care of me & not let any one injure me.

That they will return to Africa I suppose is not yet



certain. ~~The~~ parties may yet appeal. I shall be surpris-  
ed if the Spaniards do it. & I do not think that the friends  
of the Africans will. I shall exert the little influence  
I possess to prevent it. The community has gone with  
us thus far, but if more not satisfied I fear all sym-  
pathy will be lost, & we shall secure no real good.

Mr Baldwin contended that the Executive had nothing to do with  
it & most certainly, I do think that the construction of  
the law was a very loose ~~one~~ that point, as made by  
the Judge, but I consider it as much in our favour  
& think we may as well be quiet. ~~For~~ If they remain in this  
country I presume that in a short time some of them will fall  
into the hands of villains, who imagine they can use them  
for gain, & soon will be poor miserable circumstances or worse.  
— But I have forgotten the subject for which I commenced  
writing.

Lewis Leppan has inquired of me to day if I am wil-  
ling to return to Africa with these men & attend them  
to their own country. Suggesting that in such case I can prob-  
ably obtain the appointment of agent for the Govt.

He says moreover, that if I will go. He thinks he can obtain  
me support from some private individuals - says that  
Genl Smith has empowered him to make such an  
appointment & will pledge support. Now Sir what shall  
I do? Many obstacles seem to lie in my way. I have not  
yet through with my ~~studies~~ course of study - I have not been  
anticipating any more like this, at present & my circum-  
stances are not in a very favourable state. I have again



of supporters by a private individuals or individuals.  
very suddenly & unexpectedly my resources may be cut off.  
Again in such case I should not have access to so great a number  
of Christians - I mean that a few only would be likely to know  
what I might be doing & would pray for me & for those  
with whom I might be labouring. I should be cut off  
almost entirely from ~~except~~ the world & men so that if  
there were missionaries upon the coast ~~where~~ where I myself  
there might be some intercourse.

There are something worth noticing upon the other side.  
I think I have the entire confidence of these men & I believe  
they would defend & protect me at all hazards. & such  
an other opportunity for introducing the knowledge of the truth  
into Africa we can perhaps never expect.

Dear Sir, can you tell me what duty is - Can you advise  
me ~~or~~ can you make any suggestions that will throw  
light upon my path & aid me in deciding as to what  
God would have me do. If I can do more good. If I can  
do more to honour God by going to Africa now with these men  
I wish to go - I am not my own but Christ's - & all mine.

As the A. B. C. M. S. is desirous of ~~establishing~~ its mis-  
sionary of the support derived from private individuals should fail.  
might there not be such an understanding between ~~us~~ that I  
could be taken under its patronage & become its missionary?

Some other questions I might ask but I fear I have trespass  
now too far upon your time. Will it be convenient for  
you to write me soon in reply to this.

Believe me yours in Christ

Rev J. H. Collocott.

B. Gidwood



I hope - Sir. you have regained your health - & that your daughters  
are again well. - Be so kind as to remember to them & that  
C. & Miss F. - to all your family.  
I ask an immediate answer if convenient. as I must make  
an immediate decision. — — — — — B. G.

RECEIVED  
Rev. Thomas H. Gallaudet.  
Hartford.  
Conn.

Jan 15 1851  
Paid



New York January 20th 1872

Esq. S. Baldwin Esq  
New Haven

Dear Sir

We take great pleasure in introducing  
to you our highly respectable friends Messrs Crimell  
Minturn & Co. of this City, who are desirous to avail  
themselves of your professional services

Confident that their interests will command  
your best attention & with our wishes for your success  
in their behalf

We remain

Yours friends truly

Baldwin & Co

J. Charles A. Allen



New York July 25<sup>th</sup> 1840.

A. J. Baldwin

Esq. New Haven

With reference to the annexed letter of introduction from Messrs Baldwin & Co. we have to request your attention to some business relating to the "Amistad" the proceedings against which need ~~not~~ <sup>not</sup> ~~care~~, you are already familiar

Our friends at Havana had goods ordered the vessel which are in the Cts. at New London & during the last sitting of the Court we employed Mr. Wm. P. Cleveland A. of that place to appear for us - it appeared however that the Court decided to allow Gidney & others a salvage of  $\frac{1}{3}$  of their value, said value to be fixed by appraisement, and we are this day advised by our friends Messrs N. W. W. Billings of New London that it has been done and a return will be made on the 23<sup>rd</sup> inst -

We think that Gidney and others are not



entitled to any compensation, and if so the value  
of the goods should be estimated in kind.

We wish you to make an appeal, meantime  
we write our friends at New London not to pay the  
salvage on the valuation of the appreciation.

Wm. B. Pillsbury  
New York

Frederick M. Mott  
and  
1840

Edinburgh

New Haven  
Conn.

Wm. B. Pillsbury

NEW YORK  
JAN 21

Should you require any particulars as  
now to proceed in this business, the same  
will be furnished you by Messrs. Pillsbury  
We are yours respectfully  
Frederick Mott



Albany 21 July 450

Dear Sir I come from N.Y. last Thursday

and Friday night have been here ever  
since & expect to remain here this & probably  
next week attending the Supreme Court. I

have heard of no movements concerning the  
officers since I left New Haven. Thinking

I left I saw in New Haven Harbor a ship of war  
which came out of N.Y. the Saturday preceding

what this means it seemed to me a little uncertain  
till I saw Judson's opinion which was handed

over by Mr. Tappan. I think this subject needs  
a little watching. A gentleman this evening

informed <sup>me</sup> that John Van Buren, the Asst. Secy, expects  
to bring great dissatisfaction at Judson's opinion &

and that the question had a great & important  
political bearing of which Judson had taken

no notice. He spoke of the opinion in strong  
terms of disapprobation. My informant was well

convinced that the Asst. Secy would be greatly dissatisfied  
with the opinion. I am very much the French

Minister that the Dutch ally appears with  
me drawn to the plan if anything occurs

of any moment.

Yours &c  
Wm. H. Steple



NY Jan 22 / 1840

My dear friend Hamilton

Gentlemen

Your favor of the 20th  
is received.

I will attend the District  
Court on the 23<sup>d</sup> and take an appeal from  
the decree allowing salvage to Capt Sedgwick  
& his crew on the goods of your friends  
who were represented by the Claimant at the  
late term of the Court.

I do not myself consider the officers  
& crew of a Government vessel as entitled to  
salvage for a service like that rendered by the

Sedgwick.

I am very respectfully

Yours &c &c

Robert L. Sedgwick



Southport June 24 1840

Sir

I have made some slight corrections in the  
binding drawn up by you, and still think  
it proper to incorporate in the second the  
two passports, which will be filled in by  
the Clerk. 177. Holburne withdrew all  
objection to the deed as now finished.

Yours Obedt Servt

Andrew J. Jackson



New York, July 27, 1840.

R. S. Baldwin Esq  
New Haven,  
Dear Sir,

I thank you for your letter. At the very last moment, supposing you might not be at Hartford, I wrote Governor Ellsworth to make the motion in case of necessity. The reason I deferred it to the last moment was, that I was attempting a negotiation with the President & proposed to release the captives & the Executive firm further truth if he would send the Africans to Sierra Leone. Today I received a letter from my friend at Washington who says "I could not see the President until this morning. He has decided on appeal to the S. C. [C. C. ?] You may suppose that the Government is altogether willing the business should take the course pointed out by the District Judge found that it would not do to sanction the course on principle of that decree, as they would be supposed to do by acquiescence."

We shall see that you soon have another payment, but money will never replace you for your services.

I saw your speech in the Palladium & it was so well done that I did not write out from my notes.

Out of the \$5 enclosed  
please pay the Dis. Clerk  
\$4.34 for copy of Madden  
D. P. M.

With much esteem

Yours truly

Wm. Tappan



20. Feb 13/1840

New Haven Feb 13/1840

Thos. Pinckney Munton Esq  
Gentlemen

Yours of the 10<sup>th</sup> is rec<sup>d</sup>. in which  
you inquire when the Circuit Court will sit, to  
hear the appeals in the case of the Amistad, and  
what further proof will be required in behalf of those  
you represent?

The Court sits here on the last Wednesday of  
April.  
I have inquired of the Clerk as to the proof before  
the District Court. He informs me that it consisted  
of the papers & documents which were found on board  
the Amistad, bills of lading &c. Some of them are now  
on the files of the Court. They may perhaps be in the  
possession of the - (Clerk); or perhaps in possession  
of the U.S. District Attorney who represents in behalf  
the Spanish Consul or Minister the owners of the  
vessel of the cargo.

I do not understand that there is any dispute  
about the ownership of these goods. They were ordered  
by the Dist. Court to be delivered to the claimants whom  
you represent on payment of salvage, and as only  
that part of his decree is appealed from which allows



salvage to the libellants, if the papers in read-  
in the District Court are such as to show a  
prima facie title in the claimants, I do not  
think any additional proof will be necessary.

They ought to have been left in the files of  
the Court, & I have requested the Clerk to pre-  
serve them from the Dist. Attorney if they are  
in his possession.

The property of these claimants can be  
withdrawn from the custody of the Marshal  
by substituting a bond in double the amount  
of the salvage decreed; conditioned for the pay-  
ment of such sum as may be finally awarded  
if any thing. I am very respectfully

Yours obediently

Robert N. Peckham

M.B. It will be well for you correspondent to  
send you a power of attorney, authenticated  
before a notary, authorizing you to represent  
their interests & to receive their property or the  
proceeds in their behalf.



New Haven Feb. 29 1840.

Dear Husband

Your letter was received last evening with great pleasure, and Edward was very happy to see the tickets, which he had been longing after, since you left home. I intend sister Charlotte shall have the benefit of one lecture before she leaves. Mother has written, consenting to her stay for one week longer, which will be till Saturday next, and then I shall expect your return. - I feel stronger and better from day to day - and the baby is well and thriving -

The other children are doing well, and Edward and Roger are attentive to me; and obedient to my wishes. My only family trouble is, that Maria is soon to leave us, and we shall miss her faithful services much. Her Aunt Gilbeek is in low health, and has made her an advantageous offer if she will live with her. - Of course I cannot object to it, and Charlotte is now out to enquire of some one to take her place in our family. - Maria will not leave me till I am supplied. - Your Father met with quite a loss this week in the death of his



good old bones. She found the stone room open and  
set to much cracked eyes; as proved fatal to her  
the next day. The sympathies of the neighbourhood  
were quite excited for the poor criminal.

No letters have arrived about the migrants  
to whom we hear from them. Mr. Osborn shall be  
informed immediately. Edward enquired after  
Mr. Rowland and learned he went yesterday to  
New York.

Johnston kept himself at work more  
than half a day yesterday in transplanting the grape  
vines, and transplanting two, he enriched the  
ground and I believe did it well. Your  
father directed him in measuring the right  
place for them in our garden. The cherry  
trees he said "people told him" had better  
stand a few weeks longer.

Edward has sent you some ~~the~~ papers but  
no letter has come for you except one from  
Mr. Tappan which your father has just brought  
in. Being short I will copy it on the next  
page.

The most recent news apart ~~is~~ that Judge  
Daggett is soon to marry M. Lins. His son  
Ellsworth is also about being married to a Miss  
Watson of Hartford. Yours as ever

Emily Baldwin



New York 27<sup>th</sup>

Will you please inform me when and where the Circuit Court will sit? I suggested to Mr. Sedgwick, that it might be well, if the Counsel on both sides would agree to it, to lay before the C. C. written arguments with a Report of the testimony given in to the Court below, instead of repeating the pleas and examinations of witnesses. What do you think of this Council?

In the account in the Emancipator of the disbursements made by the Court it was stated that Mr. Staples had been paid \$350. This was a mistake.

He has been paid \$200, and \$60 for his argument here before the Judge in Chambers. The latter I objected to.

Dear Tappan,



New York, Feb. 29/40

R. S. Baldwin Esq--

New Haven

Dear Sir,

When I was attending the U.S. District Court in your city you requested me to write to Ellis Gray Loring Esq of Boston about taking the Deposition of the Spanish Consul. I did so - and presumed that you would see that a regular Commission was forwarded from the Court.

Some weeks since Mr Loring wrote to me "I did not take the Spanish Consul's deposition, because immediately upon receiving your letter to that effect, the news came of Hudson's decision."

I suppose that in order to take his Deposition I must have a commission from the Court, addressed to some magistrate here, or else notice must be given to the adverse party of the time place & purpose &c."

"George S. Willard is a U. S. Master in Chancery, here and a good man." Will you consult Mr Sedgwick on this? I have written R. S. Baldwin today, on this matter."

Mr Sedgwick thinks it would be very unsafe to examine the Consul as a witness in our behalf.

Respy yours Eliza Tappan



Comodoro March 26. 1840

Sir:

Yours of the 21<sup>st</sup> received 23<sup>rd</sup> inst came  
to hand yesterday. Immediately thereafter I  
deemed it proper to communicate the contents  
to the Secretary of State that it may be made  
known to the Ministry &c

And ascertain through that medium  
the final determination of the Spanish gov-  
ernment, as to Antonio.

As soon as a reply shall have  
been received, I shall be able to inform you  
what action can be taken on your Motion.

If the President and Secretary of State  
should suppose the matter rests under the  
treaty with the Convention, the discharge will  
emanate from that quarter, in case the  
Minister of Spain refuses to take Antonio.



As in an other aspect of the case,  
I expect to be furnished from the State  
Department, with the evidence of refusal.

I have deemed this the prudent  
course, that there may be no cause of complaint  
from any quarter.

I have nothing except <sup>most</sup> ~~much~~ delay, I to  
know that the Minister of Spain does not intend  
to comply with the decree. It is probable that  
he expects a reversal of the whole decree, and  
then he could send them all together to Cuba,  
and this may be the reason of his not calling for  
Antonio. To put this matter beyond doubt  
I have requested the Secy of State, to send  
me his determination. If he accedes and  
takes Antonio away, this is his right.  
If on the other hand, he does not want  
him, then I shall have the evidence of his  
refusal, in such a form, as cannot afterwards  
be questioned.

Yours &c. &c.  
Andrew Jackson



New York, April 18/40.

R. S. Baldwin, Esq.  
New Haven,  
Ct.

Dear Sir,

Mr Dwight P. Jones is  
here on his way to Montreal where he is to reside here-  
after. We shall lose his testimony therefore, in the Amistad  
case, except so far as it may go up from the Dist. Court.  
Mr Jones informs me that John J. Hyde, late editor of a  
newspaper at New London (where he now resides) heard. Some-  
day — "I bought them as native Africans". Will it not  
be best to have Mr Hyde subpoenaed to attend the C.C.  
at New Haven.

Yours respectfully  
Henry Tappan

P.S.

I duly rec<sup>d</sup> your letter of the 20th March.



New York, April 24/90.

R. S. Baldwin Esq  
New Haven  
Dear Sir,

I have received yours of the 22<sup>d</sup>. Mr Janis has gone to Connecticut. Before he went I requested him to call on Mr Staple & ask him whether his deposition ought not to be taken. Mr Staple thought it was not necessary. The evidence he before gave is on record & the testimony of Mr \_\_\_\_\_ will rebut any falsehood Mr Vega may wish to pursue. Still I regret Mr Janis' deposition was not taken.

I will write to Capt. Green to attend on the 29<sup>th</sup>. we have requested Mr Sedgwick to take the documents you mention.

It is very singular that the documents communicated to our Gov<sup>t</sup>. are not on file in the Sec. of State's office. I have written to my brother to see the President what he can do.

Mr Staple showed me your letter to him. It suggests some valuable thoughts. It would be like Judge Thompson to dismiss the appeal instantly on the ground that the Sp. minister had intruded himself & had no right to appeal when the parties litigant are on the spot, and do not appeal. I do not see, <sup>but</sup> by the reference you make to Peters' Reports, that the case can go up to Sup. Court at Washington. If this be so, and Judge T. entertains the appeal he must decide finally. Should he decide against the Africans agree we not to try the Haberm Corpus before Ch. Justice Williams?

I hope you will have strength of mind & body, and the Divine aid, to make as strong an effort as you made last January - for, to tell you the truth, I have much more reliance on you, in this case, than on your associates. They do not appear to have dug deep into the great question, either as moralists or lawyers.  
Respectfully yours, Llewellyn Tappan.



New York, April 27/40.

R. S. Baldwin, Esq.

New Haven,

Dear Sir,

Mr Sedgwick says it is uncertain whether he will go to New Haven, but he has promised to send me the copy of the Treaty procured from England, and the British Consul promises to let me have the volume of Parliamentary Documents containing the ordinance of the Queen of Spain - Nov. 1838, which I hope to take up with me Wednesday morning. [The Consul says the books are loaned & he does not recollect who has them.]

I wrote to my brother at Washington respecting your undersigned letter to the President, and he writes Saturday evening as follows - "As soon as I rec'd. your letter I went to the President and he read it & wrote on the back of it an order to the Sec. of State to furnish the copies & admit Wheaton if correct. I lost my time in taking this to the Secretary's Office, but it was too late - it was shut, & will not be opened until Monday at 10 o'clock. I shall hear from him on Monday as I have sent the letter & endorsement to him. I trust it will be in time."

It appears to me that it will be strong ground to take that the Sp. Minister has no right of appeal - that neither party in Court has in fact appealed.

I wrote to Capt. Green.

James had left for Connecticut.

I judge, from a hint dropped by my brother, that the President's dignity was a little hurt by your writing directly to him! He must be <sup>only</sup> approached through his Sec. of State, forsooth, or a friend of the administration!



New Haven May 4<sup>th</sup> / 1840

As you have manifested a deep interest in the case of the Africans of the Amistad, pending before the Circuit Court on the appeal by the United States from the decree of the District Judge; and as it may be necessary to invoke the aid of Congress to enable us to obtain evidence essential for their protection, I take the liberty to address you in relation to some matters connected with the case of these unfortunate men, and also to direct your attention to an important error in the translation of a Spanish document communicated with other papers on this subject by the President to the House of Representatives.



The original of the Spanish passport, of which a translation purports to be given (Doc. 185 p. 48) is as follows.

" N. Habana 28 de Junio de 1839

Filiación	}	Concedo licencia a querante y nueva
Estatura		<u>Ladinos</u> nombrados Antonio, Simon, Lucas,
Edad		en en [giving them names by which these
Color		Africanos were never known, & which none
Pelo		of them ever recognize] "de la propiedad de
Forma		José Ruiz - para que pasen a Puerto Príncipe
Ceja		he por mar.
Ojos		Debiendo presentarse con esta al juez tor-
Nariz		torial respectiva. Enfeletas [señalada]
Boca		
Barba		
Señales particulares		Duchos 22
Letras.		

Comandante de Maritima

Pasan en la Sta. Anistia al a Sainaja

Petron Ferrer y Juan 27. 1839

March

By this document it appears that the negroes authorized to be shipped by Ruiz [the passport to Montero is similar] are described as Ladinos, - a term used in the island of Cuba, as stated by Dr. Madden in his deposition, to distinguish native Africans, who by long residence have become acclimated, & versed in the language of the island, from newly imported negroes who



are called bozals, as well as from the native  
cruels.

The District Judge found that the Africans  
actually shipped on board the Amistad by Ruiz  
& Montez, under this passport, were bozals,  
and not ladinos, and that they were not  
truly described therein. It may fairly be  
presumed, therefore, without impeaching the  
integrity of the Spanish Colonial officers that  
a fraud was practiced upon them by Ruiz & Mon-  
tez in representing as ladinos, Africans whom  
they well knew to be newly imported, and  
shockingly ignorant of any language but that of  
their native land.

In the translation alluded to, the term Ladino  
is rendered "sound negroes", thus giving to the  
term a meaning entirely different from that  
which it imports in the text.

The Attorney General of the U. S. in his opinion  
published p. 58, probably not being aware of  
the diversity in the description of the property and  
the persons to be transported, and of the men who  
were actually shipped, seems to regard the pass-  
port



1855 Oct 10  
May 1855

signed by a colonial Governor as "con-  
clusive in regard to the proprietary in-  
terest in the thing in question." If no such  
evidence existed as that which has been pointed  
out, this position it is believed could not  
be sustained. In *I. Robinson* Adm. R. 212  
(Case of the *Odin*), Sir Wm Scott held that  
although such papers duly verified and sup-  
ported are strong prima facie evidence in all  
cases, yet "if there are circumstances & facts  
appearing in the case leading justly to the  
conclusion that those papers, though formal  
in themselves, are nevertheless false, it would  
be ridiculous to say that the Court is bound  
by them." And in the case of *The Amiable* *Bay*  
*belles* 6 Wheaton p. 1. 75. 76. 78. 80. the Supreme  
Court of the United States expressly refused to  
give such efficacy to a Spanish passport  
although documents, when the circumstances showed  
that they were obtained by fraud or upon false  
suggestions. A similar doctrine was held by Judge  
Story in the case of the *Esperanza* 2 Mason's Rep.  
In the case of the *Amistad* it is not necessary



C  
H

New York, May 5<sup>th</sup> 1840.

R. S. Baldwin, Esq.

New York

Dear Sir

The Committee appointed to attend to the Africans of the Amistad instruct me to write to you for your legal opinion with respect to bringing these unfortunate & cruelly treated men before Chief Justice Wallen's Court of Habemus Corpus. There is much dissatisfaction in the community, and has been from the beginning, on account of the Africans lying so long in jail after the decision of the District Judge that they are Boreal negroes. The correspondence recently published at Washington increases this dissatisfaction. Even some of the friends of Mr Van Buren say it is "outrageous". I shall opinion well, I am satisfied, bear us out in some strong measures for the deliverance of the poor Africans.

A similar note is addressed to Messrs  
Staples & Sedgwick. We await a reply with anxiety.

Respectfully yours

Ellis Tappan

for the Committee

P. S. I am perhaps indebted to you for a N. H. Herald containing an excellent article respecting the Correspondence above alluded to. It will be re-published here. I shall be glad to see more similar articles.

Do not forget to send the Committee the framed intransigent the Rev. Mr. White you set from the Clerk a few words of the original document.



New Haven May 18<sup>th</sup> / 1842

My dear Sir

I have delayed a reply to your letter of the 10<sup>th</sup> instant which was received some days since, in order that I might by incidental conversation with others, enable myself more satisfactorily to answer your inquiries relation to the circumstances and standing of Capt Polk and his family, with whom since his residence in New Haven. I have personally had but a very slight acquaintance. Capt Polk, as you are aware, commands the Revenue Cutter stationed here, and his family have resided in New Haven some six or eight years. Being a Government officer, he is of course an administration man, and his associations have been more with that class of



an citizen who accord with him politically  
than with their opponents. Capt Polk is  
originally, I am informed from the State of  
Maryland. He is a relative of Col. Polk  
of Tennessee, the late Speaker, whose brother  
was a member of College, a few years since  
was intimate in the family. Mrs Polk, whose  
maiden name was Townsend, is sister to the  
widow of the late Capt. Hoffman of the Navy,  
two of whose daughters are at present in  
the family of Capt Polk and are said to be  
much admired, and esteemed by their acquain-  
tances. The eldest daughter of Capt Polk  
has, I am told, spent much of her time in  
the family of her aunt - Mrs Hoffman - at  
Baltimore. I remember to have been intro-  
duced to her on board the Steam Boat from  
New York by her father six or eight weeks  
since, as she was returning from Washington,  
and she then appeared to me to be a girl  
of prepossessing appearance & pleasing man-  
ners. The family have maintained a res-



respectable standing in society here. They visit  
in the family of R. J. Seymour Esq., and  
are visited by his sons. As regards to the cir-  
cumstances of Capt Polk I know nothing.  
The family live very respectably and see a  
good deal of company; but my impression is  
that he depends chiefly if not entirely on the  
emoluments of his office for the means of sup-  
port.



Washington D.C.

May 20. 1840.

Dear Sir

I send to you, with this, a Document laid on our tables this morning, being a Message from the President, relating to the Surrender to our Government of persons charged with piracy & murder on board the U. S. Schooner *Plattsburg* in 1817 — & a demand by the British Government of the Surrender of a Mutineer in the British armed ship *See* in 1819. — The last



letter in the Document, from Mr.  
Atty. Gen. Grundy, in relation to  
the communication to the President,  
from Messrs. Staples & Seymour, on  
the subject of the Appearances taken  
in the Amistad, I have thought  
would be particularly interesting

to you. Accept my thanks for yours of  
the — last, giving information which  
I had requested.

Yours truly  
W. Lloyd Garrison

R. S. Balwin Esq  
New Haven Ct



[1840]

New Haven Conn. Sept 9/

Sir

It having been reported that a demand has been made for the surrender of the Confiscated arms now in the Custody of the Marshal of the District to the Spanish authorities for trial, or to the Spanish claimants, as property, I take the liberty in their behalf respectfully to protest against a compliance with such a requisition.

It is believed that no power exists (unless stipulated by Treaty) in any department of the Gov<sup>t</sup> of the United States to deliver up for punishment to a Foreign Government an offender against its laws who has sought an asylum in the United States. Such, was the opinion of Mr. Jefferson (1<sup>st</sup> Amer. R. papers 175) & of Ch. J. Marshall of Penn<sup>a</sup> 10 Rep & Rankin 125. Such also was the doctrine maintained by Mr. Livingston & other distinguished Citizens in the discussion of the case of Jonathan Robbins.



2. In regard to the claim of the  
pretended owners of these Africans, to  
have them delivered up as property, pursuant  
to the 8th article of the Treaty with  
Spain, it is believed to be equally beyond  
the power of the Executive to comply with  
it. "All cases in law or Equity, arising  
under the laws of the U.S. and Treaties  
made by their authority" appertain by  
the constitution to the Judicial tribunals  
for decision.

The United and her cargo, together with  
the Africans, are held by the Marshal  
under the process of the District Court  
of the U.S. and a writ has issued  
from that Court for all persons interested  
to appear & be heard in regard to the  
disposal of the property at Hartford on the  
19th of the present month.

The Treaty relates to the Spanish claim  
and free access to our Courts, and that  
same right it is hoped will be accorded  
to the Africans who claim to be free, as  
well by the laws of Spain, as by the laws  
of Nature. The President, it is believed, will



New York, Sept 9/90

M. S. Baldwin Esq

New Haven,

Dear Sir,

An Staples sent to me your letter to Mr Sedgwick. I had a copy of Pub. Doc. 20195 received from Mr Adams which I sent to Mr Staples.

The execution has been tricky I fear. The President ~~sent~~ wrote upon my letter to my brother an order on the Sec. of State to furnish copies of the documents you wanted or to direct the Sec. of State to acknowledge the genuineness of the copies in question &c, provided they were genuine. Holabird has written to me that he has received no instructions to the above effect. The Acting Sec. today Mr Forsyth has written to me that the President has caused instructions to be given Holabird, without stating what the instructions are. Mr Forsyth however refers to his letter to Holabird dated 30th April. I do not believe its contents to much.

I was highly pleased with your letter to Mr Sedgwick. Let us make a vigorous attack on the 17th, so that Judge Thompson will understand we do not intend to acquiesce in his decision to let the cause go up without a vigorous struggle.

I send by Mr Sedgwick an  
envelope which I found in my  
keeping house ~~left~~ for a new copy one.  
Reply & trust yours  
Lester Tappan



94

New York, Oct. 10/90

R. J. Baldwin Esq

New Haven,

Dear Sir,

I duly received your favor of the 10<sup>th</sup>, and have delayed replying in hopes of obtaining from the British Consul the book containing the evidence of the Queen of Spain of Nov. 2, 1858. To day the Consul showed the books to me, and I looked them over carefully, but could not find the evidence. The Consul never saw it but says the books he showed me to day are all he put into Mr. Staple's hands before Mr. Sedgewick. John Staple does not remember much about the books. Can you aid me by your recollection?

Yours very respectfully,  
Lewis Tappan.

P.S. Mr. Staple considers that his engagement as Counsel for the Africans has terminated & that they are not disposed to employ him further. They wish to retain good will for you all they can, according to their success in raising money. Our second Appeal is bringing in money. Mr. Sedgewick told me he considered himself engaged to the termination of the matter. He wish to go with some one in place of Mr. Staples. The form, if you concur, will write to Rufus Choate Esq of Boston who was thought of at first. He shall only on your going to Washington at any rate.

I am urging the matter of bailing the Africans with Judge Thompson. He has written several pages of special pleading. I have no idea he will give them up, but, without offending Mr. Sedgewick.

He will send him a copy of the book containing the evidence of the Queen of Spain of Nov. 2, 1858. He will also send him a copy of the book containing the evidence of the Queen of Spain of Nov. 2, 1858. He will also send him a copy of the book containing the evidence of the Queen of Spain of Nov. 2, 1858.



A. S. Baldwin Esq

New York, Oct 16/40.

New Haven

Dear Sir,

I recollect what you said to me about your claims on the creditors of Lewis & Holt, & on my return spoke to Burr Watsons whose brother, with a Mr Rhoads, were a Com<sup>ee</sup> to manage the business. Mr B. W. told me his brother to be back in a few weeks, when I intended seeing him.

The Mr J. Cook you mention I do not know, nor can I find such a person designated in the Directory. Will you inform me where I shall call on him.

Truly yours

Wm Tappan



Dear Sir

Your letter of the 16th is received.

The ordinance of the Queen of Spain was among the documents in the British consular collection which Mr. Lodge with brought with him to Hartford at the first trial. It was in the form of a declaration of sentiment, right, to the Capt General of Cuba & the naval officers on that Station, commending them ex-ante with regard to the slave trade for putting a stop to the slave trade & liberating its victims. It was dated Nov. 23<sup>rd</sup> 1838. I have an impression that there were two folio volumes of documents brought by Mr. Lodge with - but of that I am not positive.

I am opposed to any pouring to Washington. I should have no objection, if the case can be heard at such time as will not interfere with the winter term of our Superior Court here, which sits on the 4<sup>th</sup> Tuesday of Jan'y. The Supreme Court commences its session on the <sup>2-3</sup> Monday the first Tuesday of Jan'y. - Mr. Thompson



time. In my judgment it will be expedient to move the Supreme Court to dis-  
miss the appeal, or the action stated in  
the petition intended to be made in the  
Circuit Court, or for the additional reason  
that each of the officers - regarded as  
property - is of less value than \$2000, the  
sum necessary to confer jurisdiction on the  
Supreme Court. Each one of the Officers  
has answered for himself. The controversy  
is with each separately - the appellants  
claiming them as property only. Consequently  
it will be desirable to have an appraisal  
of them as property, & proof of their value, separately,  
made by affidavit, to the Supreme Court.

You mention that the Committee think of  
retaining Mr. Choate. I spoke to Judge Will-  
iams last evening in relation to Mr. C. He  
said he was an able man; but that his  
health was precarious, and as he does not  
regularly attend the Supreme Court, there  
might be danger of disappointment from  
that cause. It has occurred to me that

it might be desirable that some person  
should be engaged in the case, who will be  
in Washington during all the session. As  
I know of no one who would give to every  
local question a more thorough investigation  
than our Senator Judge Thurgood of New-  
York.

The documents in the case are now



considerably voluminous, and it seems  
desirable that they should be printed as  
early as possible - so that abstracts may  
be prepared for the County and Council who  
may be interested to become familiar with the  
facts.

I am pleased to see your letter to the  
President in print. Its publication will  
have a good effect.

Yours very truly  
P. J. Redwood

MS The MS Book mentioned in my letter to Thomas  
Cook of the firm of Messrs Cook & Son 22 Abchurch Lane  
London E.C. 4.







Boston, Oct 28<sup>th</sup> 1840.

Dear Sir,

Being here to take some members of my family back to New-York I called upon Hon. Rufus Choate with a view to engage his services, should it be agreeable to you, as associate Counsel for the Africans. His numerous & important engagements will prevent him - especially as no late intimation had been given him of our wish that he should be retained. I consulted some of the friends of the cause here & suggested to them the advisableness of consulting John Quincy Adams, now at his seat at Quincy, 9 miles from this city. They thought it very doubtful whether the Ex-President would undertake, but on the whole considered the plan very desirable. Yesterday Ellis Gray Loring, Esq and myself rode over to Quincy & had an interview with Mr Adams. I mentioned to him our wishes. At first he seemed to decline, but at length declared his willingness to act with you & Mr Sedgwick as Senior Counsel, & to make the closing argument before the Supreme Court in January. I left with him my scrap books, containing every thing that has been printed, for and con, on the subject, so far as they have reached one. Mr Loring told Mr Adams that the practice was for the junior Counsel to furnish the Senior Counsel a very full arguing Brief, and that you would undoubtedly do this. Mr Loring hopes you will do it very soon, and be very full and unreserved with Mr Adams, who feels deeply on this interesting subject, & will devote to it his best powers.

Mr Adams appears to have some misapprehensions about his cause. He thinks Judge Thompson's



instructions to the Grand Jury were wrong - that the African  
should have been indicted for murder and piracy - if indeed  
a grand jury could be found to do it - and that after being  
acquitted they should have been set at liberty. He tried to  
explain this matter to him - to show him that Judge Thompson  
did not consider that the African had been guilty of piracy &c.  
Mr Adams seems to repudiate the modern doctrine that  
"free ships make free goods," and that a vessel on the high  
seas is, so to speak, part of the territory of the nation to  
which it belongs. But, however erroneous Mr Adams's  
legal views may be, in some respects, his station, age,  
character, &c. &c. will give an importance to his  
services in this cause not to be overlooked. Even  
if he should make but a short address, and confine  
himself to a few points, his services will, we think, be  
very important.

Mr Staples will of course go into the case.  
He would not go to Washington without additional com-  
pensation, and we had rather pay you what he would  
require. I hope you will be pleased to be associated  
with Mr Adams, and we shall not, for a moment, con-  
template your declining to go to Washington. Perhaps he could  
may assign a day for this trial to accommodate you. Be-  
lieve me as it may you have enlisted nobly in this cause, you  
have borne the burden & heat of the argument, and we know  
of no man in whom we could repose so much con-



confidence to conduct it to a final issue. The sacrifice to you  
will, we know, be considerable, but we shall exert ourselves to  
obtain a reasonable sum to compensate you in part at least.  
Mr Adams is pleased with the idea of being associated with  
you in this cause, and remarked that it appeared to him you  
had been the principal advocate, &c.

I suggest the propriety of your opening a cor-  
respondence at once with Mr Adams, who has, I presume  
some leisure now to give to the cause: Please drop me  
a line to New York, where I expect to be in a day or two.

If you think it necessary to send Mr Adams  
copies of any part of the proceedings please have them pre-  
pared at our expense.

Respectfully & truly  
Dear Sir,

Yours  
Lewis Tappan

R. S. Baldwin, Esq

New Haven,

Conn.



Copy to L. Q. Adams  
Nov 2. 1845

New Haven Nov 2<sup>d</sup> 1845

Dear Sir

I have learned with great satisfaction from Mr. Lewis Tappan that you have consented to aid by your wisdom and talents, the counsel heretofore employed for the Africans of the United in the approaching trial of their case before the Supreme Court at Washington.

Knowing as I do that your warmest sympathies have from the first been enlisted in behalf of these unfortunate persons, thrown by Providence upon our protection under circumstances of peculiar interest, involving

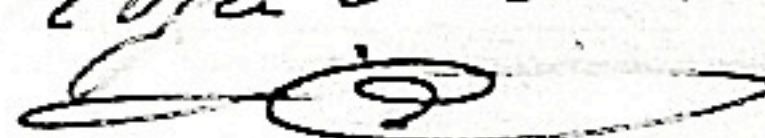


not only their individual destiny, but deeply  
affecting the honor of our Country, my con-  
fidence in the triumphant vindication of  
their cause, - ~~resting as it does on these~~  
~~great principles of right and justice, which~~  
~~our Government is professedly based,~~ - is greatly  
increased by this new and unlooked for ac-  
cession to our strength.

It will afford me great pleasure to be  
permitted to communicate with you on this  
subject, and I will at an early day trans-  
mit for your consideration, a statement of the  
material facts in the case, as they appear  
on the records of the Court.

I am with great respect

Yours ob<sup>d</sup> & serv<sup>t</sup>

John A. Baldwin  




New York, Nov. 3/40.

Mr. J. Baldwin, Esq.  
Dear Sir,

After making another search today in the British Consulate office I have found the Royal Order of the Queen Regent of Spain dated Nov. 2/38, which I have copied & now transmit to you.

At Boston, the other day, I advised a letter to you with the information that we had engaged the services of John L. Adams in the United States. Is it your wish that Judge Huntington should be also retained? As he will be on the spot he would not charge probably a large fee, and he is already <sup>complying with</sup> the wishes of the court already engaged so far as the funds in their hands will permit.

How shall we bring about an affair of these Brazil negroes?

Will you send me some copies of the documents when printed?

Have you written to Mr. Adams? He will be pleased to have a letter from you I think expressing your gratification at being associated with him; and you will not, I hope, to send him soon a copy of our

Judge Thompson takes no notice of our last petition! Do you recollect the words he used when intimating that it might be his duty or would probably be his duty to put the Africans into our custody or take them out of the custody of the marshal if the Gov. would save money by it?

Respectfully  
Lewis Tappan.

Ed. J. Hall should see to it that the Blackman gets the letter.



Royal Order.  
Ministry of Marine, Commerce, and Colonies. *Royal Order*

Most Excellent Sir,

It having come to the knowledge of Her Majesty the august Queen Regent that, in contravention of the orders on the subject, and of the principles of humanity and of public convenience, with infraction of the treaties lately concluded with the Government of Her Britannic Majesty, and placing in danger the principal interests of that precious island, clandestine introductions of black slaves have been made at some places, Her Majesty, who takes the greatest interest in the security and prosperity of the worthy inhabitants of that rich colony, and who is convinced of the urgent necessity of putting a stop to such an abuse, which may give rise to acts of the greatest transgression, has been pleased to resolve that your Excellency shall apply the strongest zeal in dictating the necessary measures for preventing this deplorable contraband; obliging the local authorities to prosecute with energy those who are engaged in it, and bring the perpetrators before the competent tribunals for their exemplary punishment.

I communicate this to your Excellency by express royal order for your information, and by the same I also send a copy to the naval commander of the station, in order that he may contribute, with the forces under his command, towards carrying into effect the beneficent wishes of Her Majesty.

God preserve your Excellency, &c.

(signed)

Parrera

Madrid, 2nd November 1838.



The within translation was published in the Madrid Gazette of 4th November, 1838, and was enclosed by Sir George Villiers to Viscount Palmerston from Madrid, Nov 10, 1838.

It is on page 98, Book Class B, entitled "Correspondence with Foreign Powers relating to the Slave Trade, 1839" in possession of the British Consul, New York.



Copies

Roger P. Nelson Esq New Haven Conn.

Boston 11 Nov 1840

Dear Sir

I have received your obliging letter of the 20<sup>th</sup> inst, together with the remembrance of the case to be tried before the Supreme Court of the United States at their next January session, of the capture of the Amistad.

I consulted with extreme reluctance at the urgent request of Mr. Lewis Tappan and Mr. Ellis Gray Loring, to appear before the Court as one of the counsel for their unfortunate men. My reluctance was founded entirely and exclusively upon the consciousness of my own incompetency to do justice to their cause. In every other point of view there is in my estimation no higher object of ambition than to occupy that position.

I expect to leave this City next Monday the 18<sup>th</sup> inst for Hartford, and hope to be the next morning Tuesday the 17<sup>th</sup> at New Haven. I shall then desire to be in conference with you concerning the case, and will if necessary devote the day to that object. I have engaged to be at New York on the 18<sup>th</sup>.

I am with great respect Dear Sir  
Yours and  
J. L. Adams



Mar 17, 1841

Wm. L. Garrison Esq. New Haven

Washington 27 March 1841

My dear Sir

Your obliging and very acceptable forwarding the 12<sup>th</sup> inst. is before me. You observe that the inquiry is frequently made what shall be done with the late captives of the Amistad, now that by the Supreme Tribunal of the land they have been declared free?

Gratefully the benevolent friends of human nature and supporters of human rights who with a sincere worthy of pious in angels, inspiration from the throne of God, at the moment of their desperate calamity came to their aid and rescued them from the hand of lawless ~~and~~ power, will ~~come to their~~ aid yet not desert them in their mitigated but still distressed and helpless condition. They will still feel it to be their duty to cause them to be conveyed in safety to their native land. But should the costs and charges necessarily incidental to that function be borne exclusively by them? Certainly not. Is not the Government of the United States bound in honour and in justice to perform it? The decrees of the District Court and Circuit Courts so ordain. The Decree of the Supreme Court proclaims them free - and if free now, surely free when found by Lieutenant Sidney, in possession of their vessel and cargo, the lawful ~~possession~~ <sup>property</sup> of the



of their outraged enemies and oppressors,  
and offering them ample means of com-  
pleting the painful voyage upon which they  
were then bound to their homes.

The Supreme Court of the United States has  
pronounced them free - but the Executive and  
judicial authorities of this country have forcibly  
renewed their persons and their property - have  
kept their persons eighteen months in prison



9th

New York, Nov. 11/40.

R. S. Baldwin, Esq.

New Haven,

Dear Sir,

I have written to Mr. Gilman, atty  
Genl. for printed copies of the copy of the record, & should  
he send them to me I will forward one to each of the coun-  
sel.

You speak of being here soon. As Mr  
Adams will be here on the 18 & 19<sup>th</sup> visit had you not best  
defer coming until then, so as to have an interview with  
him?

In Judge Thompson's last letter to me he  
refuses to put the Africans into the custody of the Govt. partly  
on the ground that they are not authorized to make the ap-  
plication. Suppose the Africans apply themselves, or con-  
stitute the committee their agents to apply, for a release from  
the custody of the marshal on giving satisfactory bonds. I  
feel desirous of pursuing this point, by it so or not do offend  
the Judge. If you do not object will you see the Africans -  
consult them - and get the authority?

I have today had a long interview with  
Mr Cook about the sum due you as counsel for the creditors.  
I have never before learned the true state of the case. Had  
I time so the matter should have been attended to long ago.  
Mr Cook promises to call on me with a list of the creditors, & to  
bring some money shortly. We will try to have a settlement very soon.  
Yours truly Lewis Tappan



New York Nov. 16<sup>th</sup> 1840

My Dear Sir

How ~~flattered~~ the immortal  
Mentals? Is there face in Error  
Book or Record or whatever you term  
it in of prominence Practice prepared?

Will you let me know how far we

must go to Washington will you

also let me have a copy of the Papers

on which I go up - testimony &c.

If you can spare your own send it

we will have a copy made & up

office. I understandly have

leave the extreme honor of signing it

as I am with yourself & the Ex. Puff



I therefore not utterly to despise my  
opportunity. I wish to have somewhat  
time as I can be prepared.

I beg my best respects to Mr  
Baldwin saying I am always  
kindly & faithfully  
Theodore Sedgwick

R. S. Baldwin Esq.

New Haven

Conn



New York, Nov. 21/40.

R. J. Baldwin, Esq  
New Haven

Dear Sir,

Mr Adams has given me an account of his visit to New Haven, which gave him much pleasure. He thinks the clothing, bedding &c of the Africans are not what they ought to be.

I have furnished <sup>him</sup> with all that has been printed on this cause in newspapers &c. He mentioned Ex-governor Van Ness' argument before the Sup. Court of the U. S. East <sup>in the case of Holmes</sup> weeks, & was desirous of seeing it. That gentleman being in this city I called on him this morning. He referred me to 14<sup>th</sup> Vol Peters' Reports, which he presumed was out of the press. On looking at it at Habbert's book store I found it contained, beside Mr Van Ness' argument, the opinions of four of the judges. I purchased the volume, & if you have not ordered yours I will send you one, as I presume you have the previous volumes.

Respectfully yours,  
Lewis Tappan.

In compliance with your recommendation we shall not leave Judge Thompson any more on the subject of bail.



Geo

New York Dec 16/40.

R. S. Baldwin, Esq.

Dear Sir,

Above you have a check for fifty dollars on account of fees for your services in the Amistad case. This, added to the \$100 last sent you, — One hundred fifty dollars in all — is from the Pennsylvania Abolition Society, by Dr. Parrish. They appropriated it for the defence of the Africans, & I informed Dr. P. that I would pay it to you. Please acknowledge the receipt.

Nothing from Mr. Latham, Mr. Gend. yet, & Mr. Bates writes from Washington that the pamphlet is not yet printed.

Respectfully yours

Glenn Tappan

I must broder the only have not yet  
paid their proportion of your bill.  
They have written to their correspondent  
at Baltimore for instructions.

[Dec 21st My clerk put this letter into the letter book  
of the R. Office, & it has just been discovered.]



New York, Dec 24/40

R. S. Baldwin, Esq.  
New Haven

Dear Sir

Mr Cook informs me he expects to go to  
your city tomorrow, and will take his proportion of the money due  
on your bill against the creditors of Lewis & Holt \$54.15 also  
\$54.80 paid Huntz. & T. Peet & Co. The above check of \$117.81 in-  
cludes A. D. & Co's proportion \$77.87 and H. W. Clark's \$39.94.  
Brown Brothers & Co's proportion \$141.47 is unpaid. They wish  
to ask their attorney about their legal liability. When they pay  
you will receive the amount of your charges with interest.  
Should Brown Brothers & Co not remit to you soon please  
let me know it. Do not relinquish any part of it.

A few days since I forwarded you  
\$50 on account of fees in the Amistad case. Have no reply.

I learn from Washington that the  
approaching trial is exciting great interest there.

Please let me know what day you  
expect to be here on your way to Washington.  
I send you another Extra & wish you to examine the last page. Reply (Yours)

Lewis Tappan



Engl

R. S. Baldwin Esq  
New Haven Conn



Mail

To effect it a double fraud became necessary.  
I was instructed  
in obtaining the permit to ~~enter the coast~~ to clear  
the ~~custom house~~ <sup>at the wh. by capt. S. the of. as before</sup>

&c.

& toward danger from the Pt Crown  
they were <sup>in</sup> ~~in~~ <sup>by</sup> the corner of the fort  
a <sup>post</sup> ~~post~~ for the fort.

Learn T. Allen  
Dec 1860

New



New London, Conn.

Dec 29<sup>th</sup> 1840.

Dear Sir

this day

In conversation with John Jay Hyde Esq, of Mystic, in this State, the Editor of the "New London Gazette" at this time, when the "Armistad" Africans were brought into this port, by the U. S. Brig Washington. I found, that Mr Hyde, was intimately associated with Messrs "Rice" and "Montes," during their stay in this City, and that those two men informed him, that the Africans in question, had not been six weeks, from the Coast of Africa when they were put on board the "Armistad." Mr H. acted in a measure, as a counsellor to the Spaniards and as far as I can probably recollect, was summoned to attend the District Court at Hartford, but did not appear. In interrogating him, respecting the cause of his



non-appearance at that Court. I was informed that "the fact ~~was~~ not legally tendered" and that he disliked to fasten the imputation of perjury, upon Rice and Monty.

Mr H, Expressly his willingness, to give testimony to that Effect, if his Expenses are paid to the Court, before whom the Africans are to be ~~tried~~ <sup>brought</sup> at Washington.

Suggesting, that the proceedings of the District Court at Hartford, were illegal inasmuch as so important an evidence as Mr H, was not compelled to attend: after being summoned.

I am Very Respectfully

Yours most obedt

Wm R. S. Baldwin

At Home

or

}

Stages Wilson

P.S. Perhaps this information may be of no service: I am unacquainted with legal matters, but deemed it proper to send it to you as I have to Hon John Quincy Adams, Washington!



New York, Dec. 30/40.

R. S. Baldwin, Esq.

Dear Sir,

I have, today, rec<sup>d</sup>. from the Atty  
Gen. 2 copies of the printed Copy of Record. One  
of them I send to you. Should you receive a copy  
from Washington I shall be glad to have you return  
the one now sent.

I shall want to see you on your  
way to Washington. If you can not call please send  
a person to me & I will call on you.

On rec<sup>d</sup> of yr letter I sent to Mr  
Sedgwick for the papers you left with him & have sent  
twice since. I hope ~~to~~ have them to send with  
the pamphlet.

Respectfully yours  
Lewis Tappan

P. S.

Mr Sedgwick has just sent me the papers  
which I enclose.

L. T.



New York, 8 Jan. 1841.

R. L. Baldwin, Esq

Washington

Dear Sir,

I was unable to get my packet ready in season to send by you.

Enclosed is a note of introduction to Mr. Gates, an excellent man, & one whom acquaintances will, I think, be agreeable to you. He will also be pleased to see you.

I will thank you to write to me as soon as anything is done respecting the Africans. If he can comes up before Saturday please drop me a line, or if den- ing the work you learn what course is to be taken just let me know. And especially do I want to have speedy advice of the result of your meeting on Saturday. Mr. Leavitt intends re- porting what is done. He wants to know about going to Wash- ington for that purpose among others, & thus on what I may hear from you seek to guide him as to the day of leaving this city.

I feel indignant to hear that the marshal of Con. has returned the Africans, your clients, as slaves.

Respy yours

Eliza Follen



Jan 13, 1847

Monday Decr 1846

My dear mother.

You will see by the date of my letter that I have at last received it. The inclosures of the same. We did not arrive until yesterday at the accident on the Baltimore rail road delayed us very much. I suppose you are anxious to hear about our journey and I will give you a short sketch of it, reserving the particulars till I see you.

We had a very disagreeable passage to New York on account of the ice and fog. We reached there about four o'clock and went up to Aunt Anne's. I was well and the boys much pleased with their presents. In the morning we went on a ferry boat to the Jersey side and there took the car for Philadelphia. We passed Merion Junction Clarksburg and Rahway, all which I was disappointed in, and arrived in Philadelphia about three o'clock. We stopped at the Union Hotel, the first in the city. About four o'clock went down to dinner. The table was furnished elegantly and



The dinner was as handsome as we gave to the ladies.  
In the afternoon we called to see cousin Samuel Peking,  
who was very glad to see us and suggested we to spend the  
night with them. Father, of course, declined that, but I took  
tea there, while we went to see the Port. In the even-  
ing we went into the Chinese museum. The next  
day we concluded to spend in Philadelphia and go to  
Baltimore on Saturday. We walked about all day, went  
to see the Procession of Jerusalem and took ~~the~~ again  
with cousin Samuel. One of the Porters took interest  
in us to spend a few days with them in my return, and  
father told them that he did not know exactly  
what my plans would be, but he rather thought he would  
let me. The next morning we heard that there had  
been an accident on the road and there would be no  
going to Baltimore that day, so we were not in our mind  
to spend the whole in Philadelphia. At four o'clock  
father came to me and said that there were  
ministers going to Chester (a little village about 15 miles from  
Philadelphia) to meet the railroad, and I must be  
ready in ten minutes to go. I hurried on my things,  
locked my trunks, and we got into a cab and set  
off. When we came to the depot we found that the ministers  
had gone on and left us. The cabman agreed to



have a and catch up with them for a dollar and talked  
about two miles from town we met them. The roads  
were very bad, the horses were, so that we stopped on  
very slowly and reached Chester later in the evening about  
ten minutes after the car had left. There was  
nothing to be done here but to spend the night at the  
tavern in Chester, which we found very different from the  
Philadelphia hotel. After supper we went into the parlour  
where we found a quaker lady and gentleman who  
had come in another omnibus. We went into con-  
versation with them and were much pleased with them,  
especially the lady. It was her father so taken with  
our love in my life. She had read a great deal,  
had every where and seen everything. She was a very  
strong abolitionist and father told her a great deal about  
the abolition negroes and showed her the letters  
which they wrote to John G. Brown. He often said  
that she was the celebrated Mrs. Mott, one of  
the wealthiest and most respected quaker ladies in Philadel-  
phia. They were going on to Wilmington in the  
morning to preach and were anxious that we should  
go along so we engaged a man, to bring a good covered  
whegon in the morning at ten o'clock, to take us to  
Wilmington. The question called us before light in



The consequences did not seem to be as expected over but  
 we were not fully aware of what a figure we were making  
 till daylight broke upon us, when we found ourselves in  
 a long country wagon of the meanest kind. There were  
 hoops bent over the sides and the top of it was made  
 of white canvas, which did not cover the sides at all,  
 so that we were as conspicuous as if there had been no covering at all. In  
 the wagon on one side and on the other the mother "Dungen" people  
 rough boards were laid across for seats and the bottom was covered  
 with straw.

1841  
 Boston journey to Brooklyn  
 Mrs. Rogers & Ballou

Returning  
 New Haven  
 Conn.

I am afraid that the letter will be  
 long and full of mistakes & I have written most of  
 it in a room where there was no fire and  
 my hands almost paralyzed with cold.  
 Elizabeth C. Ballou

Father sat by the fire and in the parlors and when we were sent into  
 the kitchen. He checked the hotel about nine o'clock and after breakfast we went to  
 church. The Hall met us here and took us to dinner with him. In the afternoon  
 we went to the public meeting and Mrs. Mott and friend Doolittle preached and  
 we had and we spent the night here. The citizens were very kind and  
 more hospitable to us than we have been to the friends of the cause.  
 At ten o'clock Monday morning we went to the hall and left and  
 waited there till half past ten when we took seats in the cars  
 for Baltimore. We arrived there between nine and ten in the evening.  
 We got up early the next morning and walked about some  
 time and went to see the monuments and the Baltimore. At nine  
 we started for Washington which we reached safely and found them  
 all well and glad to see us. I left them in the morning  
 for the present. Give my love to all the children and grandpa and  
 your remembrance to your most affectionate daughter Elizabeth.



c Jan 15, 1841

Wilmington Dec 15-1841.

My dear Mother

I have been somewhat young & ill  
here this evening, and do not feel at all like writing,  
but as it seems to be a necessary case I shall try  
to write a few lines. Mrs. Elworth has invited  
me to remain until after the inauguration of President  
Harrison, and indeed until April, and she has or-  
dered me to write to you this evening in order that  
an answer shall come before father goes.

Just as I had finished the last  
sentence father called in and Mrs. El-  
worth has had a talk with him about my remain-  
ing. He seems willing and says he will write  
to you about it. So write back by the next mail  
and say I am staying. Anne is attending to Frank  
alone this winter, and if you asked I could go to  
the same school, the price is ten dollars a quarter,  
and the advantages are superior to any we have in  
New Haven. I told Mr. Elworth I knew you would  
be willing I should stay here. Yesterday morning



I went up to <sup>the</sup> Capitol to see the sights. We went  
first into the Rotunda, where the paintings are, then  
into the Congress Library and then into the Court  
room. When I was in Philadelphia I made acquaintance  
with a Judge Baldwin, who pretended that he  
was a cousin of mine, and the moment I came into  
the court room, he saw me and left his chair and  
came to speak to me. He had on a long black  
gown, such as is worn by the Episcopal ministers.

Next we went into the Congress Hall and then  
into the Senate Chamber. I expect to go and have father  
speak ~~that evening~~ <sup>to-morrow</sup>. This morning we went to  
the Patent Office, where are models of all the recent  
things that have ever been made. There were some  
beautiful little tops, chairs, tables, pen-cases that  
I really coveted for Ed's baby-house, with boats, guns,  
and wagons that would be equally pleasing to George.

Where do you think we went next? Why  
to pay our respects to "Little Van". I took Mr.  
Cleveland's arm while his wife took father's and so  
we were ushered into the President's antechamber.  
After we had shaken hands with him we sat down  
and he asked father if he had come to plead  
the distressed case. He then asked him some



questions about it, and said that he should like  
very much to have it copied. When we rose to  
go, he shook hands with us again and bade us good  
bye. He looks somewhat older than he did when he was  
in New Haven, and his hair is almost white.

We then went to look at the parlors and parietory.  
I was much disappointed in the latter, we have heard  
such extravagant descriptions of it. In the room where  
he receives foreign ministers the carpet is an old  
worn one, the chairs are upholstered with green and white  
satin and highly gilt and the center table is all of  
white marble. In the next room the cushions and  
curtains are here often figured with white. There are  
small-rooms, but the great saloon which they make  
such a great fuss about, is furnished much plainer.  
Everything is rich, but old fashioned and faded, and no  
better than I should wish the President of the United  
States to have. I told father when he was President  
I should want it furnished a little better.

So write soon, mother, I am longing to  
hear from home, and tell the children to write,  
particularly Roy, Eliza, George and Edward. I mean  
himself, I so want to see the little fellow. You  
must direct your letters to Mr. Church or they



would conce. free. Give my love to all friends and  
tell Loring Sherman that she must write me all  
the school news. I wish to write her soon.  
Good bye. your affectionate daughter Elizabeth

Ms. A. 9. 2. 15. 1

Mrs. Roger S. Sherman

New Haven

Conn.

P.S. If I stay I shall need a new common walking  
de canvas dress, a cheap one, rather tight. If you make  
it at home you have the pattern of my skirt which  
fits me and skirts are exactly. Mr. Smith is coming on  
to New Haven next week and will be collecting the  
says to bring anything I want I send home your col-  
ored handkerchief by father. yours E. S. B.



[Jan. 17, 1841]

Washington Saturday

My dear Emily

Elizabeth has already written to you that we arrived here safely on Monday after various perils and delays by flood & field. She omitted to mention I believe that we were obliged to cross the Susquehanna, about one third of the distance, on the ice that had floated down on the previous evening. Planks were extended from the shore to the Steamboat in which the wooden of the distance was passed. There was no real danger I suppose, but it was not, to say the least, a very pleasant way of crossing so broad & rapid a river. I expected to have argued this morning the motion to dismiss the appeal in the Amistad case. but Judge Story being detained temporarily by indisposition, the Court have postponed it till next week. I hope to be able to return by Saturday or the Monday following.

Mr Ellsworth has given Elizabeth a very cordial invitation to prolong her visit till after



the inauguration, & proposes that she shall  
pursue her French studies under the same  
instructions, & teacher as now. Her terms are the  
same as at the Andrews School. I have told  
Mr. E. that all arrangements in regard  
to Elizabeth's visit I should leave to your  
decision.

I have called with Mr. Ellsworth & Elizabeth  
at the place to see the "old up man" and  
also at the Foy's. Mr. Briggs the mother of  
Mr. F. was formerly a resident in Northham  
& she made many inquiries about father  
and her other Northham acquaintances  
of former days.

Washington does not quite equal my ex-  
pectations which were not very high before I  
came. Indeed the appearance of the whole Southern  
Country is wretched in comparison with  
that of England. With the exception of the pub-  
lic buildings here, there is very little architectural  
beauty, or indeed embellishment of any sort in  
any of the edifices in the City.

I dined with Mr. Key the U. S. Dist Attorney &  
a number of some eminence here on Thursday, and was  
very agreeably entertained. Several of our dele-



persons have invited me to dine with them  
but it has not been convenient for me to  
accept their invitation. I am invited to dine  
at Mr. Adams; and shall of course accept.  
We meet every day at the Capitol, but it was  
only yesterday that I made him a formal call  
at his residence, by leaving my card. I have  
seen most of the great men & heard several of  
the most prominent of the public speakers. With  
few exceptions they loom large at a distance.  
When we find them on a nearer view. The  
Senator is truly a great man. I spent last  
evening at his room last evening, and was  
delighted with his conversation. He is the sen-  
ator of State, which is regretted by most of his  
friends.

Elizabeth seems very happy here. I have told her  
she must keep a journal from day to day & send  
it to me. I am anxious to hear from you. Do  
write & let Edward send me the daily Herald.  
Tell Edward to say to Sam Kimbrel that my case  
will not come on for argument before Friday, and  
that I shall leave here immediately after finishing  
my opening argument. Yours most affectionately  
R. W. Brewster



New York, Jan. 20/41.

R. S. Baldwin, Esq

Washington

Dear Sir,

Mr Cooke has just been in & informs me that Brown, Brothers & Co have, at length, paid their proportion of your bill. All is therefore paid - principal & interest. I suppose, till just now, that Mr Cooke had paid you his proportion & the money he received for you. He promises to pay you soon.

Mr Key has written to my son in law that he fears the poor Africans will be given up to the Spaniards. He wished Mr Barney to consult me about raising a sum sufficient to purchase them of the Spaniards. I would not listen to it & moment, for several reasons. It was not best to intimate <sup>to such men as Mr Key</sup> that we had any doubt of a decision favorable to the Africans; and it is not do to make such a concession to Slavery. I wrote a short letter to Mr Key, & in his long reply he shows that he understood any meaning, conceiving that I contemplated a resort to physical resistance to any unfavorable decision of the Court! I have replied to it him right.

Sedgwick's reply to Forsyth or Pickens, or whoever wrote the bloody article in the Globe has been published in the Post, & of Commerce & American, & widely dispersed in extra copies. Many persons have strong apprehensions of the result. The feeling in the community is deepening. May you have wisdom & firmness equal to the exigency.  
Yours truly Lewis Tappan



Supreme Court of the United States:  
January term AD 1841

In the matter of the United States appellants

Singua, otherwise called Cinguer, Burnah, 1<sup>st</sup>  
Capre, Dammah, Fowrie, 1<sup>st</sup> otherwise called  
Fulewa, Shuma, Wolwah, Conoma; Choolay,  
Burnah 2<sup>d</sup>, Bach, Cabbah, Poonch, Kimbo,  
Peeah, Bampyah, Saah, Carlee, Parle, Mor-  
rah, Yakhoni, Nahguoi, Quato, Sasse, Con,  
Fowrie 2<sup>d</sup>, otherwise called Fulewuh, Kinuchi,  
Larmance, Fajanch, Fach, Yabboy, Faguan-  
ah, Berrie, Fawnee, Chockamaw, Grebo, other-  
wise called Gelabam, Carie, Teme, Kene &  
Mahgu Africanos, being severally claimants  
and appellees, on appeal from the decree of  
the Circuit Court of the United States for the se-  
cond Circuit, holden at New Haven in & for the  
District of Connecticut; April term AD 1840

Now the said Africans, appellees as aforesaid  
being in the custody of the Marshal of the District  
of Connecticut, under process issued by the District  
Court of the United States for said District, on



The libels filed by William L. Hollabird  
Esq. District Attorney of the United States  
in and for said District in the name of the  
United States, alleging that the duly accus-  
ited Minister of His Catholic Majesty the Queen  
of Spain has officially presented to the proper  
department of the Government of the United  
States, a claim which is now pending upon  
the United States; setting forth (among other  
things) that said Appellees are the property  
of Spanish subjects, and that while so be-  
ing the property of Spanish subjects, they arriv-  
ed within the jurisdictional limits of the Unit-  
ed States, under such circumstances, as to  
make it the duty of the United States to cause  
them to be restored to their true proprietors,  
and owners without further hindrance or  
detention, as required by Treaty; and pray-  
ing said Court, on its being made legally  
to appear that the said claim of the Span-  
ish Minister is well founded, and is conform-  
able to Treaty, to make such order for the dis-  
position of the said Appellees, as will best en-  
able the United States to comply with the Treaty  
stipulation, and preserve the faith of the Govern-  
ment; as by the record of appeal here produced



by the Appellants will appear:—

Severally pray this Honorable Court that the appeal by the United States from so much of the decree of the Circuit Court aforesaid as relates to, or affects the said appellees respectively, may be dismissed; because they say that it appears by the said record that on the 18<sup>th</sup> day of September 1839, Jose Ruiz a subject of the Queen of Spain filed his libel in the said District Court, pretending and alleging that each and all of the said Appellees, except the said Terni, Kene, Malsen, and Carli, otherwise called Kali, were the slaves of him the said Jose Ruiz, and praying that the said Court would decree that they should be delivered up to him as such; and that on the same 18<sup>th</sup> day of September 1839, Pedro Montez, a subject of the Queen of Spain filed his libel in said District Court, pretending and alleging that the said Terni, Kene, Malsen, and Carli, otherwise called Kali, were the slaves of him the said Pedro Montez, and praying that the said Court would decree that they should be delivered up to him as such:— that the said allegations in the said libels of Ruiz & Montez respectively, were, on the several answers of the said appellees thereto,



by said District Court, found not to be true;  
and thereupon said libels were severally de-  
clared to be dismissed with costs, and that  
no appeal from the decree of said District  
Court thereon, has ever been taken by the said  
Ruiz or Montez.

And the said appellants further say that  
it is not nor ever has been pretended or  
alleged that they, or any of them are or ever  
were the property of any other Spanish subject  
or persons whatever, than the said Ruiz or the  
said Montez as aforesaid; and that no de-  
mand has ever been made by the Minister  
of the Queen of Spain, upon the Government  
of the United States, or upon any department  
thereof; for the surrender of the said appellants  
or any of them as slaves, to the said Ruiz  
or to said Montez, or to any other Spanish  
subject; nor has the said Minister ever au-  
thorized any appearance or claim to be made  
or prosecuted in his name or behalf, as Minister



as aforesaid, in said District Court, or in said Circuit Court, or any other Court of the United States, for the purpose of obtaining the surrender of the said appellants or any of them as slaves as aforesaid. But, on the contrary, the said appellants allege that the only demand made by the Minister of the Queen of Spain on the Government of the United States in relation to the said appellants was, as appears by the Message of the President of the United States to the House of Representatives of the 31<sup>st</sup> day of March 1840 and the documents transmitted therewith, was that "they" the said appellants "be conveyed to Havana or be placed at the disposal of the proper authorities in that part of Her Majesty's dominions, in order to their being tried by the Spanish laws" which the said Minister alleged "they had violated; and that in the mean time they be kept in safe custody, in order to prevent their evasion."

And the said appellants further say that since the filing of said libels by the District Attorney as aforesaid, alleging a demand by the Spanish Minister for the delivery of the said appellants as slaves, to their pretended owners as aforesaid, the said Minister of the Queen of Spain by his letter addressed to the Secretary of State of the United States, bearing date



The 26<sup>th</sup> day of November 1839, has protested against the right of the said District Court or of any of the Judicial Tribunals of the United States to take cognizance of said case, and declared that the Legation of Spain did not demand the delivery of slaves, but of assassins.

And the said Appellants further say that the fact that no such demand was ever made by the Spanish Minister as is alleged by the District Attorney as aforesaid, and the character and object of the demand actually made by said Minister as aforesaid, was not known to them or to their proctors until after the allowance by the said Circuit Court of the appeal by the United States from the decree of said Court, at the appeal term then of aforesaid.

Wherefore the said Appellants, severally, protesting that they owe no allegiance to the laws of Spain, or of any of the dependencies thereof, and that they are not assassins, nor have ever been guilty of any crime, or violation of said laws for which they are amenable thereto; and that no power exists in any department of the Government of the United States under the Constitution or laws



thereof, or by virtue of any stipulation contained  
in the Treaty between the Governments of Spain and  
the United States, to surrender them for trial as  
criminals or fugitives on the demand of the Span-  
ish Minister aforesaid, humbly pray That, in-  
asmuch as it has been conclusively adjudged &  
decided by the said District Court on the libels of  
the said Ruiz & Montes respectively, and the answer  
of the Appellies severally thereto: That they and each  
of them are not the property of the said Ruiz or  
the said Montes; but were from their birth, and still  
are of right free; and inasmuch as they are not  
charged before this Honorable Court or in any of the  
proceedings aforesaid, with any crime or other cause  
of detention, at the suit of the United States; or showing  
they have any interest or concern whatever; and also  
inasmuch as the Appellies severally, even if they were  
slaves are not, nor is either of them of the value of two  
thousand dollars, - the said appeal may be dismiss-  
ed, and they severally be left at liberty to return  
to their kindred and country without further hindrance  
~~and~~ delay.



[1841]

New Haven Feb. 18th

Dear Husband

The family having all retired and little Tim. asleep in his cradle, I shall have a quiet hour to write you, and can send on Monday morning by Mr. Tindall's. — The weather has continued severely cold since you left & by the way your Father sent a man here yesterday who supplied us with charcoal / and I have done little but watched over Tim. — His cough increased the night after you left and the next morning I sent for Dr. Knight, he ordered Tim. small doses of Rhine Syrup and said that would be sufficient — but today he had some fever & I sent again at home — He then gave him calomel — but does not think him badly sick — He is playful & will even about the room part of the time — but his lungs are oppressed and your absence makes me more anxious —

Your Father came in just at evening and told me of the reports circulating of the most disgraceful & guilty conduct of Asa Childs in connection with his rail road business — That he



dollars and had added Forgery and Perjury to it.

I hope it is not so bad as this - but there is certainly some open disgrace and I am distressed for his poor wife - She is a noble minded woman, and will suffer beyond all expression and the more keenly because she married an Child against the wishes of all her family.

She has several children also I really cannot induce to think about it, knowing so well as I do the high and honourable feeling of the Gaddards.

Sabbath evening -

I will now finish my letter and am happy to say that Simon has appeared much better to day, having no fever and his cough much relieved. I have had a day of rest at home with him, and a day of much serious and profitable thought - in which grateful emotions have had a large share. I hope the goodness of God to us as a family will lead us all to love him and keep all his commandments. It is a day



also much secured in the Church, is connected  
by prayer for your arrested prisoners -

This will reach you after the trial has con-  
-menced - and I will not therefore tax your  
attention long - - Edward is at your Office most  
of the time - This has told him of no business  
except that a Mr. Hitchcock paid him a little  
over fifty dollars on a note - which he holds in  
trust - till the right owner comes - as he consulted  
your Father I suppose he is right about it -

Let us hear from you if your time  
allows, that I may know when to expect you -  
I hope your journey was safe, and that your  
head neither a cold or headache - the two  
common enemies of your comfort - If letters  
and prayer can ensure success - you are safe -  
but I feel my anxiety for you doubled by the  
fact that so much is expected from you - Well  
I have a sure resource - there is a power above  
that rules and over-rules - and I trust - had  
I can commit you and all your interests -  
affectionately as ever -  
Emily Baldwin.



Myville vicinity of New Haven Feb 9  
 Mr. Holden

Dear friend

I wish to write you all  
 because you have been kind to me because you  
 love Mend people I think of you very often I wish tell  
 you something about Mr Penleton how he do. Men  
 di people want tell you all how he do bad to mend  
 people and when he came here with chains kept  
 on some hand and he wish them to have a  
 special for America people because America people  
 love it and all good people America Mr Penleton  
 says they tell you lie mend people not go Men  
 di and Mr Penleton says all good things we  
 have he says he give Mend people and he says  
 he give us meat I give you clothes every thing  
 we have I gave you all no body give Mend  
 people anything he says Mend people & look me  
 no ~~body~~ any others men love Mend people I  
 one I say to Mend people he ~~do~~ all destroy  
 you it he destroy I say to Mend people be sure you  
 be saved and Mr <sup>my</sup> Tappan New York / he was  
 very good man and Mr Townsend God will  
 bless them and we hear jail talk about bad  
 number and we hear jail talk about Mend  
 people about removal and we all was very sorry  
 for him and we ask you Dear friend if you hear  
 them and this letter we wish all good people read  
 it he lost himself and he will lost soul to hell  
 than colored people and he does not think God  
 he think bad ~~thought~~ thought and I think for him  
 we think he bad man he does not like men di  
 people and all America people love it not ~~and~~  
 some and and because he is special for America



people and I want you Dear friend and you tell our  
Judges let us free and make him ashamed and the  
good men love to make us free and we shall tell you  
all things he do with them and we fear for  
the people of America that may be whip us we fear the  
American people and because America says here you are  
enemies that may Menali people fear and we talk  
to you and you tell him nothing & he do so that  
may we want you tell him & we want & he not do  
~~no~~ no more and when we in the slavery  
he whip Menali people to hard I was sorry for him  
and he does not <sup>think</sup> of good he do bad and when we  
came to trouble and he came and whip plenty of  
them and it is not better for us and he do bad to  
Menali people we forgive him and he curse us and  
he whip us and all he do that it is not better for  
us and that all he do so with them and we think  
for good people America love Menali people  
and we fear for people and we shall tell you  
and you tell him it is does not do so no more again  
and all love you very much and I Dear friend  
I pray for you and I love you very much indeed  
and so we  
Cynthia



Copy of Cinqvis letter to R. S. B.

Westville, vicinity of New Haven.

Feb. 9, 1841.

Mr. Baldwin,

Dear friend,

I wish to write you a letter because you have been so kind to me and be-  
cause you love Mendi people. I think of you  
very often. I wish to tell you one thing about  
Mr. Pendleton, how he do to Mendi people. I  
want to tell you all how he do bad to Mendi people,  
and, when he came here with chairs, he put on  
some hands and he whip them too hard,  
and we afraid for America people, because A-  
merica people love us and all good people A-  
merica. Mr. Pendleton says they tell you lie:  
Mendi people not go to Mendi, and Mr. Pendle-  
ton says all good things we have, he give men-  
di people, and he says, I give us meat, I give  
you clothes; every thing we have, I gave you all:  
nobody give Mendi people any thing; he says,  
Mendi people, and looks on; no <sup>any</sup> other men



love Mendi people. I, one: I says to Men-  
di people, he all destroy you: he destroy, I  
say to Mendi people: he save, you be saved, and  
Mr. Fappan in New York, he was very good  
man and Mr. Townsend, and God will bless  
them, and we here jail talk about bad  
rumour, and we here jail talk about Mendi  
people a bad rumour, and we all was very  
sorry for him, and we ask you, dear friend, you  
hear them, and this letter we wish all good  
people to read, and he lost himself and he  
will lost soul to hell them for colored people  
and ~~he~~ does not think God; he think bad  
thought, and I think for him we think he bad  
man: he does it not like men di people;  
and all America people love us, not all,  
some and and because we afraid for America  
people, and I want you, Dear friend, and  
you tell our judges let us free and make  
ashame, and we good men love to make  
us free and we shall tell you all thing he do  
with them and we fear for the people Amer-  
ica that may he whip us; we fear the A-



merciful people and because America says, Love  
your enemies that way, Mende' people fear,  
and we talk to you and you tell him now he  
do so that way. He want you tell him now  
he not do so no more, and, when we in this  
Heaven, he whip Mende' people too hard.  
I was sorry for him and he does not think  
of God. He do bad, and when we came to West-  
ville, and he came and whip plenty of them  
and it is not better for us and he do bad to  
Mende' people. We forgive him and he curse  
us and he whip us and all he do that it is  
not better for us, and ~~he do bad to Mende'~~  
~~people~~ that all he do so with them, and  
we think for good people America love Men-  
di' people and we fear for people and we  
should tell you and you tell him, it is  
do not do so no more again. And all love  
you very much and, dear friend, I pray for  
you and I love you very much indeed,  
and your  
Cinque.



[Feb. 15, 1841]

Washington Monday

My dear Emily

arrived here on Saturday morning after a very tedious & uncomfortable journey. Having partly to do with some of the stock & partly to mismanagement of the Rail Road construction we were detained all night on the road between New York & Philadelphia, & instead of arriving as we wished to have done at 4 o'clock at night we did not reach Phila. till 5 o'clock in the morning. I intended to go on in the cars at 6 o'clock for Baltimore & did not go to bed. The coach at Baltimore is quite full of air here after the cars had left for Washington, & of course were detained all night. I stay at P. & B's, which is an immense establishment, & there of course I have an opportunity of seeing much more of what is going on here than at a private house. Elizabeth seems to be quite happy at the Elliptical



of being that we are interested in an  
efficiency and it is not the same as the  
importance of our organization. I have been  
young, but at the same time I am quite  
familiar with the character of the  
the two are very different.

Called on Mr. Clay at the Brittonian on  
Saturday evening. It appeared as if I had  
not been in England. He is disappointed at the  
time. I had a very good opportunity of seeing  
a conversation with him. It is a much better  
thing than I have been represented to  
be. He is certainly a good deal of a man  
enjoying his activity. He is not just re-  
turning when I saw him from seeing with  
the President.

Attended service yesterday at the Capitol  
then I heard the anti-slavery meeting  
which, I think, was made a very in-  
teresting statement in regard to the object &  
progress of his mission.

In the evening I called with Mr. Trumbull  
on Mr. Adams. I spent an hour very plea-



only. Mr Adams, whom we saw, is a plain  
looking lady, evidently a quite an invalid.

I heard Mr Adams in the House of Representatives  
on Saturday. made a very interesting speech in  
relation to the report of the Committee of Foreign  
Affairs. He was listened to with great attention.

One can well not come on for argument  
on Tuesday as we expected; perhaps not  
until Thursday, as there is a case now on an  
argument. Which it is thought by the gentlemen  
engaged in it will not be finished before that  
time. I regret it, as it may prevent me  
from being at Middleton at the opening of  
the term. Cannot meet week.

The cabinet arrangements are all mentioned  
to Rogers is to the Atlantic and the Pacific  
of which a copy of the book. The Cabinet things  
it altogether will be a strange one, and for so an  
rapid as to give very general satisfaction.  
I took my dinner yesterday with Mr Rogers & his  
daughters who are here, instead of taking it at the  
common table. With love to all the children I  
am as ever your truly  
R. A. Adams



New Haven Feb<sup>y</sup> 19<sup>th</sup> [1841]

Friday evening -

My dear Husband

As I hear that your fatal case will not come on till Saturday, instead of Thursday as you wrote, I will indulge myself with another letter to you. I cannot know how important or pressing your business at Middletown is - but I wish you could remain to hear Mr. Latham's argument. - After all you have done in this matter - it seems too hard you should lose this gratification. - It is stated in some paper that one of the lawyers in the case on trial this week spoke three days in succession. - I think he should be allowed for the remainder of his life - how can the judges endure this.

Edward continues to sit in your office, but I believe he has had no special business since I last wrote. Little Simon is quite well again - and all family affairs going on smoothly. Last evening Miss Kichin of Burlington took tea here with her brother and a Mr. Hamworth her brother in law, a lawyer of Burlington. They had passing through town - and Mr. Hamworth took the "Little Daily" and said he was going direct to Washington and would be



it to you, and I thought I'd like it as a excuse for  
speaking to you. - You spoke with great interest of  
your case and hoped to arrive in time for the trial  
- The story told after the inauguration but I know not  
his business, in particular. - The spoke of Mr. Phelps or  
if he knew him well and gave me some anecdote  
of him which you must remind me to tell you.

It seems the Niagara News of which I wrote  
something to Elizabeth was all a 'Hoax' and must go  
with the Moon story. - It is certainly no small offence  
to stir up the public mind in this manner.

The Whig Convention as you will see by  
the paper - agreed to continue the same nomination. -  
Mr. Williams of New London was talked of down for  
Governor, a Edward Jay. - Cousin Hinsdale did not  
call on me as usual which was quite a disappointment.

Miss Water has gone on to Boston with  
Prof. Beck, Mrs. Schenck, Miss Feltman who spent a week  
here. - Mrs. Sewall expects to go South in about ten  
days. - Mrs. Sutton says - Mr. Padger of North Carolina  
is a family connection of the Sewalls by marriage. -  
Of course they will be pleased with his elevation. -  
We must be satisfied that his Father came from  
Connecticut.



I was pleased to hear from you that Elizabeth  
appeared well and happy. I shall write her again  
by Mr. Goodrich who goes on Monday - but I believe  
does not intend to hurry on, but arrives perhaps  
on Thursday morning. I have written her that  
if she finds she has any unnecessary articles with her  
she can send <sup>them down</sup> by you as there will be room enough  
in your trunk which one of her packages occupied.

Rebecca was much gratified by Elizabeth's letter  
and has been all much interested in you and  
glad that you had seen and loved Sam. Garrison.

We send you a daily Paper, but  
I shall not after tomorrow - for I think  
you will leave early next week.

Most affectionately yours.

Emily Baldwin.

This line to Elizabeth.

Mr. Goodrich has kindly packed your bonnet  
with the others in the box, and as she assured me there was  
still room at the bottom of the box - I have sent you my filled  
shawl, which has lying entirely useless here - I prefer my mantle  
and you can wear it to school when too warm for your blanket  
or send your blanket or cloak home <sup>by your Father</sup> if you do not need so many  
winter garments - Mrs. E. will advise you.



New Haven Feb 19<sup>th</sup> [1841]

My dear Emily

The Mississippi case which has  
been so long on argument was finished  
this evening (Friday): and tomorrow we  
commence the Amistad case. The attorney  
General expects to make the first argument  
and will probably occupy the day - so that  
I shall ~~not~~ begin till Monday; and shall  
not be able to return till towards the close of  
the week.

I have had an opportunity of hearing Mr.  
Clay & Mr. Webster both in the Supreme Court  
in a case of great interest. Elizabeth attended  
and today I heard Mr. Webster. The Amistad  
case ~~was~~ expected to come on.

I have rec'd your letter by Mr. Pendleton  
and am quite anxious to hear your own  
opinion does. Do write & let Edwin  
send the Herald every day.

Respectfully  
Yours most affectionately  
J. W. M.



Roger S. Baldwin Esq. New Haven

Washington Tuesday 9. March 1841. Noon

Dear Sir

The decision of the Supreme Court in the case of the Amistad has this moment been delivered by Judge Story.

The Captives are free.

The decision of the District Court placing them at the disposal of the President of the United States to be sent to Africa is reversed. They are to be discharged as free. The rest of the decision of the Courts below including Lieutenant Gedney's claim for salvage, affirmed.

I requested the Clerk Mr Carroll, to transmit the order of the Court to the Marshal as soon as possible - He says it cannot be issued till after the Court rises to-morrow.

Yours in great haste and great joy.

J. Q. Adams.



New York, March 9, 1841.

R. S. Baldern, Esq.

New Haven,  
Dear Sir,

If any decision should be made by the Sup. Court adverse to the interests of the Africans it has been suggested that the Marshal might act under directions received from Mr Forsyth. In this case, or in case the appeal should be dismissed, leaving the Africans in the custody of the Executive to be sent to Africa, the committee request that you will get a writ of Habeas Corpus allowed by Judge Hitchcock, taking an appeal, if he decides against our wishes, to Judge Storrs of Middletown. We wish, in the first case, to suspend, for delay - until fresh instructions are received from the present Executive, - and in case of the other we intend to contest the right of the Courts or Executive forcibly removing the Africans out of the United States. We request your prompt & efficient attention to these points.

Respectfully & truly yours

For the Committee

Ellis Tappan



New York, March 11, 1841.

Roger S. Baldwin, Esq.

New Haven,

Dear Sir:

You will have heard, before the receipt of this letter, the intelligence that the Supreme Court have reversed the decree of the Circuit Court; in relation to the captured Africans, so far as it was ordered that they should be delivered to the President to be transported to Africa, and affirming it in all other respects.

Mr Adams writes -

"The Captives are free!

"The part of the Decree of the District Court, which placed them at the disposal of the President of the United States to be sent to Africa is reversed. They are to be discharged from the custody of the marshal - free."

"The rest of the decision of the Court below is affirmed."

"Not unto us - not unto us, &c."  
pe de "

We take this opportunity, dear Sir, to express our grateful acknowledgments to you for the unvaried and able services you have performed in this case. May you receive a higher reward than we are able to bestow.

It is our desire to publish your argument of



length as soon as you can furnish us with the copy.

We wish to know whether the Africans must remain in jail until discharged by order of the Circuit Court next April.

An attempt ought to be made now, we think, to get the proceeds of the vessel and cargo for the benefit of the Africans. They were their rightful property. Will you advise us what steps to take?

Antonie also is entitled to his freedom. If he wishes to remain in this country he ought to be allowed to do so. At any <sup>rate</sup> ~~time~~ we ought to obtain his discharge from duress. When can we move on this matter? Please advise us.

Respy & truly yours

Simon J. Leach

John Leavitt

Lucas Tappan

An attempt may be made to remove Antone at once we wish you to have a writ of H. C. with respect to him, without delay.

We expect you to act as Counsel until this whole matter is finished.

I shall be happy to aid you with my notes as far as you may desire. Yours with much esteem  
Leavitt



Yours obliging letter is recd. I rejoice with you  
in the glorious result of our cause and regret that the  
disruption of those with whom we have long been connected  
to you personally it must be a source of high gratification that you  
constant & efficient operation in the cause of justice have been at last  
rewarded with such a result. I remain, March 12<sup>th</sup> / 1841

Dear Sir

I have just received your obliging letter  
of the 11<sup>th</sup>. Since my return from Middleton  
I have had no time to prepare my argument, and do not  
know that I can prepare it as desired. Though with  
the aid of Mr. Leavitt's notes I might perhaps do it.

The decision of the Court is right; but Mr. Ludlow  
informs me that the Africans all desire to return  
to Africa, and speak with much emotion of their  
kindred & friends there. If they could be sent  
to Sierra Leone they might, perhaps, reach their  
own country. If they remain here they will be in  
great danger of becoming worthless captives. After  
the present excitement has passed away the com-  
munity will feel their support to be a burden &  
they will probably be left to take care of themselves  
or become the tenants of an almshouse.

I infer from the statement of the decision in  
the Intelligencer that the Supreme Court issues its  
mandate to the Circuit Court to set them free; ~~that~~  
that they can remain as they are, at the expense  
of the Government until the Circuit Court sits, un-  
less it should be deemed best to provide for them in  
some other way before that time. I can suppose  
it would not be difficult to procure an order for their  
liberation at any time.

I do not perceive in what manner the proceeds  
of the sale of cargo can be appropriated for the benefit  
of the African. The judgment of the Court has already  
been passed ordering its delivery to the owners in  
Cuba. In regard to Antonio



I understand he desires to return to Havana, &  
does not wish to be liberated. Perhaps he desires it  
no Court would issue a habeas corpus for his libera-  
tion. He is not in fact kept as a prisoner  
but goes about the streets without restraint,

If any proceedings are desired in regard to him, his  
consent ought first to be obtained.

Approved by the  
12/18/41



Copy to Mr. Adams

St. H. March 12. / 1844

Dear Sir  
Your welcome letter gave us the first  
authentic intelligence from the Court.

I congratulate you on the glorious result, to  
which your exertions have so powerfully con-  
tributed - glorious not only as a triumph  
of humanity and justice, but as a vindica-  
tion of our <sup>inter</sup> character and nation, from the  
reproach and dishonor which ~~the Court~~ it.

The joyful tidings were immediately communicated  
to the poor Africans by the Rev Mr. Ludlow.  
well informed were gladdened by the news of  
their deliverance. What shall be done with them

now that they are free? is a question which  
has frequently asked, and which ~~our~~ requires  
the consideration of their friends. Mr. Ludlow in

forms us that they still look to Africa as  
their home, & manifest a strong desire to return  
thither & speak with emotion of their friends & kindred  
there. He says that all with whom he has conversed  
since the decision have manifested a desire to return to  
their friends.



They seem to have some knowledge - I am at least to  
have heard of Santa Rosa which is probably nearer to  
the native region than any other part of the coast.

I infer from the statement of the decision in the National  
Exhibition, that the Sup. Court issues a mandate to the  
Circ. Court in San Carlos. The referees now are  
to be held there, and that as that Court does not sit  
until April, they will remain as they are & be sup-  
ported by the Govt until then. I shall deem it best  
to provide, in these clauses & apply to Judge Thompson  
for their discharge before the expiration of the 6th.

I am sorry to learn that Judge Aldrich died.  
I had hoped the decision would be unanimous.

Wm. H. R. Aldrich



New Haven March 15 1861

Dear friend

Mr. Holman

I embrace this opportunity of writing a few lines to you to inform you that I am well and when this comes to your hand and I hope it may find you well and I wish to see you after noon to see Mr. Tappan and Mr. and Mrs. B. and we want to go to see little girls and Mr. P. Peniston wife did not want to go to see little girls and one man work for P. Peniston and the so called thorny & millions & when they come see B. and they want hurt B. and I say B. and they ~~are~~ ~~that~~ these three want hurt you and they are doing us out of that man of money and they deport ~~so~~ them and Mr. Peniston wife curse

oh I am very sorry for her & curse and I wish to see where we been before and Mr. work in Peniston room that man not good man and they want fight and B. and I did not like fight and B. and I love to pray to God and he not like fight and this was willing to give <sup>you</sup> ~~the~~ ~~man~~ ~~now~~ ~~my~~ ~~dear~~ ~~friend~~ I pray for you I love you very much indeed and this from your friend

Kinnear



Roger S. Baldwin Esq. New Haven

Washington 17. March 1841.

My dear Sir

Your obliging and very acceptable favour, <sup>of the 12<sup>th</sup> inst</sup> is before me. You observe that the enquiry is frequently made, what shall be done with the late captives of the Amistad, now that by the Supreme tribunal of the land they have been declared free?

Doubtless the benevolent friends of human nature and supporters of human rights who with a spirit worthy of guardian angels, messengers from the throne of God, ~~at~~ <sup>at</sup> the moment of their deepest calamity came to their aid and rescued them from the hand of merciless powers will yet not desert them in their mitigated but still distressed and helpless condition. They will still feel it to be their duty to cause them to be conveyed in safety to their native land. But should the costs and charges necessarily incidental to that operation be borne exclusively by them? certainly not. — Is not the Government of the United States bound in honour and justice to perform it? The Decree of the District and Circuit Courts so ordained. The Decree of the Supreme Court pronounces them free — and if free now, surely free when found by Lieutenant Gadeney, in possession of their vessel and cargo, the lawful spoils of their vanquished enemies and oppressors, and affording them ample means of completing the lawful voyage upon which they were then bound to their home.

The Supreme Court of the United States has pronounced them free — but the executive and judicial authorities of this Country have



have forcibly seized their persons and their property - have kept their persons eighteen months in prison - have taken from them their property, including the vessel without which they could not accomplish their voyage, and now turn them adrift in a strange land, where they cannot subsist <sup>without assistance</sup> and whence they cannot depart for their own country but by aid of the same charitable hands which first were extended for their relief - I suppose that with their freedom they may in this country earn their subsistence by their labour, but their desire to return to their own homes is reasonable and just, and the Government of the United States having by its military, executive and judicial authorities deprived them of the means of accomplishing that purpose, is bound in the forum of conscience to send them home at its own charge - I am not sure that it could not be bound in the same forum to indemnify them liberally for eighteen months of false imprisonment.

I would suggest to their friends, the propriety of addressing a memorial to the President of the United States, representing the facts, and requesting that a vessel of the United States may be authorized to take and convey them to Sierra Leone or to some point on the coast of Africa whence they may be safely conducted to their own native soil - And if the President should think this would transcend his authority, a memorial to Congress might call upon the Legislative Department to confer the authority and provide the means of accomplishing this act of justice. It would be a fitting and proper atonement for the desecration of our Navy, in the projected expedition of the Granville.

Immediately after the opinion and decree of the Supreme Court were delivered I applied for a mandate to the Marshal of the District of Connecticut to discharge forthwith all his prisoners.



prisoners of the Amistad. Judge Thompson, who was about returning immediately to New York, assured me that he would issue himself the order, and have it executed without delay.

I have caused the opinion and decree of the Supreme Court to be published in the National Intelligencer.

I am, with great respect Dear Sir, your friend  
and Serv<sup>t</sup> J. L. Adams.



Lewis Tappan  
March 1841

R. S. Baldwin Esq.

Dear Sir

Wed Eve  
[Mar. 17? 1841]

The bearer, a colored man  
named George Philpot who lives at the corner  
of Olive & Orange Streets, Advers a black that  
usually stands before the Fontaine mentioned  
at Piedmont. He will make a good witness  
and forage. Please tell him what time  
to come tomorrow. He has seen the  
bookkeeper paid the man - saw the  
P. who Antonia, seven, Sunday before  
last for not breaking his child's shoes -  
de de.

Yours truly,

Lewis Tappan

I am sorry we omitted to move  
the Court to put the girls into the  
hands of the St. Dunns to night. Do  
not forget to tomorrow.

Is it important I should be here  
tomorrow?



New York March 18: 1844

My Dear Sir

I wish I could have a  
chance of seeing Te Deum with you  
over the united face - For he has  
the labours as this 'out & you ought to  
have the laurels. It wd give me  
pleasure if you would but stay in N.Y.  
sometimes long enough to take a meal in  
my house.

May they give you to exercise a  
little kindly supervision over the Anti-  
slavery Lib (2 vols of wh I committed to y.  
care) & return it to me as soon as may  
be. I am afraid of having the Lib broken  
down & never in the repair. Truly & affectionately  
yours

New Haven Conn



New York, March 22<sup>d</sup> 1841.

R. S. Baldwin, Esq.  
New Haven,  
Dear Sir,

Please to read & call - and know -

the enclosed into the Post-office.

I regret that Capt Beecher <sup>senior</sup> was not  
examined. He can tell a tale about Pendleton. I heard an  
evening home I heard that Pendleton purchased one of the girls  
for a relative of his in this city. A puerile rascal & -

It will give me pleasure to send you  
kindly, a few if you will inform me how much to send  
him for his kind & valuable services.

I have never asked you about your  
own fees, but have sent you money from time to time as  
I thought it might be acceptable. Please inform me now  
what we should pay you for your expenses & services.

It was my intention to ask you for  
the year manuscript of your speech. Will you forward it?

The mob of law students do not use  
the honor to turn me as I left the court house, with Miss  
Bacon & Sedgwick. As H. L. said in his letter to Mr  
Adams, "what have I done wrong?"

Very truly & respectfully

Wm L. Garrison

P.S. Will you suffer me, dear Sir, to  
ask you to go hear Elder Knapp who  
is preaching in your city? I have heard  
him formerly with much edification. He  
is a second John Bunyan. In practical  
truth, good sense, piety, Christian experience, &  
last he far exceeds many men with higher  
pretensions. If you hear him 3 or 4 times you will like him much I trust. You have

ample store of flaws. I want you to have the best



New York, March 24, 1841.

Wm. S. Baldwin Esq.

New Haven.

Dear Sir,

The Committee for the Africans are extremely desirous, if possible, to devise some way for obtaining the repeal - not so much for its value, as to obtain a more full and ample vindication of the rights of our clients. The late glorious decision has delivered them from peril. We feel bound to go as far as the law will go in securing to them the fullest possible redress for their wrongs. Is not the Amistad or her proceeds still in the hands of the Dist. Court? We do not learn that any person has appeared as the legal representative of Ramon Ferrer, to reclaim the vessel or proceeds. If not, is there any propriety in our clients being precluded from interfering their claim even at this hour? We rely on your judgment, but the case is so important that we respectfully beg you to give the subject the fullest examination before you definitely determine that nothing can be done.

The Committee are seriously inquiring whether it is not a duty to appeal to the Court for some redress to our clients for their long imprisonment, more fully decided to have been from the beginning, both unlawful, unreasonable and oppressive. If we bring suits for false imprisonment, we wish, if possible to bring them in such a way that the burden of damages will not ultimately fall upon the individual or individuals, but will be made good by the Federal Government. Will you have the goodness to consider this matter, inform us, at your earliest convenience - what you think of a suit, and whether it should be brought against one or more of the persons concerned, the



~~The~~ late President, the late Secretary of State (who is now in this city,) the District or Circuit Judge, the District Attorney, the Marshal or his Deputy, Lt. Governor, &c.

We have resolved upon prosecuting, without delay, the suits against Ruiz, in the courts of New York, and desire, if possible, to secure your services in the trial of the suits; as appropriate counsel with Mr. Sedgwick. Your intimate knowledge of the whole case, as well as the zeal and ability with which you have conducted the other parts of it, make us feel that it would be a neglect of duty in us, not to secure your services at least in one of the trials.

We are, Sir, very respectfully,  
Your obt. Servt.

Simon J. Jocelyn  
Leavitt  
Lewis Tappan

P.S. If Judge Andrew declines giving an order for the discharge of Antonio, and he says he is detained against his will, we wish he may have the benefit of Habeas Corpus. Probably there should be no delay in the case, nor any warning, as we have no fears to expect in a certain quarter.



New York, March 26/91.

R. S. Baldwin Esq.

Dear Sir,

Your favor of the 24<sup>th</sup> is recd.

The MS. was acknowledged yesterday. It will make a handsome 8vo pamphlet of 48 pp. It is in the hands of the printer. Mr. Leavitt will compare it with his notes.

Please hand the printed sheets to Mr. Kimbly - \$20 - and ask him to send an acknowledgment by mail.

With regard to your compensation I wish to correspond with you confidentially before laying your letter before the Com<sup>tee</sup>. We have about \$1000 on hand, but it will soon be used up. You will take into consideration the unusual nature of the case - the effort and risk it will give you in your personal efforts that the funds are derived from men, women & children out of their charity fund, &c. In view of all, please let me know what you think would be reasonable. If it appears too much I will take the liberty to tell you so. As we shall publish all our disbursements we wish to do what will be considered proper. Yrs very truly  
Lewis Tappan

Amount of my bank statement have been paid \$350.  
Please give me the date of same as early as possible.  
What have received



Columbus March 30 1841

To Mr R. G. Baldwin Sir

We the People of  
color residents of Columbus, Ohio, deeply touched  
with the result of the trial of the Amistad  
captives, and, sensible of the efficacy of your  
Philanthropic effort in their behalf, desire to  
express to you the gratitude which we think  
every humane heart in this our native land  
must feel we, therefore, assembled (in the  
Baptist church) to congratulate each other on the  
joyful event referred to, have

Resolved, that the thanks of this meeting be tendered  
to Mr. Baldwin for the example he has set  
this nation in the deep interest he has manifested  
for the due administration of justice to the  
vessel and her crew and the Secretary of this  
meeting be directed to forward to Mr. Baldwin  
this our Resolution

D. Perkins

W. Johnson com

J. Bennett

W. Shelton do

W. McFee sec

Y<sup>r</sup> B on answer is ask if  
you think proper

Please direct your letter to D. Perkins



Philadelphia March 31. 1841-

Will you allow me to call your attention  
to the statement of your argument, in the case of the  
Amistad, which you promised to send to me. I am  
divided that each of the Comites in that case shall have  
his place in the Report of the proceedings. Mr Adams is  
preparing his argument, in full - so is Mr Johnson, and  
I should be pleased to have the whole matter by the end of  
April.

I am yours

Very respectfully

A. S. Baldwin Esq

New Haven

Rev Peter



New York, April 1. 1841

Dear Sir -

I have been looking over the rough proofs of your sketch, & find it will be extremely difficult to add any thing from my notes. The difficulty is here - You have presented some of the thoughts & authorities in a different order from my notes, & I think there is an omission, & then I <sup>will find the same</sup> ~~at the part~~ on p. 11, there was a statement of the case of the Eugenie, ~~of~~ perhaps not very important. There was also an idea like this, "If the negroes were really property, were not Ruiz & Montes exercising the right conferred by the treaty? They had a right, under Art. 20, to appear. They were not bound to submit their individual <sup>rights</sup> ~~rights~~ to Executive discretion, or to have the conduct of their suit taken out of their hands by the Government of the United States, or their rights affected by a new treaty? Ruiz & Montes chose to litigate their



are claiming notwithstanding the interference  
of the Spanish Minister. They filed their  
~~books~~ libels after he interfered, these libels  
were never withdrawn, they were acted upon  
by the District Court, & if Ruiz & Plantes  
~~were not satisfied~~, by not appealing, have  
submitted to the ~~the~~ decree. And so far as the  
party below has acquiesced in ~~that~~ <sup>above</sup> decree,  
it is incompetent for the Court to bring in  
litigation any question thus decided, in con-  
sequence of an appeal by any other party.

You will judge for yourself whether this  
point is material enough to be addressed.  
I have found it so difficult to satisfy  
myself in regard to Job is important  
that I have not pursued the examina-  
tion through. My notes are so blind  
to every one but myself that I am  
not sure they will be of any use to you,  
yet I have concluded to send them  
by Mr. Jollyer, with the request that  
some time or other you will return  
them to me. Yours truly  
Joshua Leavitt



R. T. Babbalan, Esq

New York, April 1<sup>st</sup> 1841.

New Haven

Dear Sir,

Your favor of March 29<sup>th</sup> was duly received. The \$50 supposed to have been sent to you was expended I find, for the board of the Interpreter at New Haven by Mr. Townsend. He drew upon me for that amount & I supposed, when writing to you, that it was for money paid you at my request. By examining his account I find it was otherwise. Three hundred dollars then is all you have received. The Committee held a four hours session last evening talking over Antonio's matter & making arrangements for future action. They decided me to credit you \$400 in addition to what you have received. Please inform me whether this will be satisfactory to you for all your services in the Anti-Slavery cause to the present time, including the opinion asked of you which is contained in his letter. The Mayor called on me yesterday with reference to Antonio, and I frankly told him all I knew about him, &c. all the essential facts - but I declined altogether putting him upon the scent to find the lad. He tried to persuade me that as a conscientious and Christian man I was bound to do so! This rhetoric & moral philosophy were, however, utterly ineffectual. When at New Haven, Antonio told me he did not wish to return to Havana, but desired to go to New York & get work. I advised him to leave & go where he pleased. And further, told him that if he would be on board the Steamboat Saturday morning I would - as I should return from Farmington before him to New York &c. He did not come, and I made no other suggestion, directly or indirectly, to him, but was waiting the result of your application to Judge Jackson, and the result of a writ of Habeas Corpus. If he declined liberating Antonio. Day before yesterday some one I know not whom I left word at the Store in my absence, that Antonio was on board the Barken "Hill". I started to go & see him. Seeing a colored friend I mentioned the case to him - he promised to go on board next morning & bring Antonio to his house. He did so. Meantime I gave information to the Committee of Vigilance, whose duty it is to defend fugitive slaves. They took charge of Antonio & have carried him away. Where he left the city or where he went I know not. I do however



know the plan they expected to take him ultimately. I was willing to accompany the marshals, as I did, to several gentlemen & take their views as to my obligation in the case in hope that some of them would relieve him somewhat from apprehensions about being liable to. I thought also that the delay - then made - might be beneficial to Antonio.

The Committee are determined to push the matter as far as they legally can. We believe that Godney, Wilcox, Pendleton, Stolar and Forsyth are liable for false imprisonment &c., and we do not know but the Capt. charge rightfully belong to the Africans. I shall send you the Adams' argument - at length - as published in the Commonwealth (published by the Liberator), and the correspondence regarding the immediate consideration of the matter. Please examine, seeing to it, Thomas Jefferson, with regard to the suit for damages done to property in N. Orleans by order of the Jefferson when President of the United States. I do not recollect all the particulars, but Livingston said her father - son, after he left Africa, for injuries sustained by his order to the Marshal of Louisiana white President. Forsyth is now here, also, concerning, with Van Buren, for Morris, as Mayor of the City. If we can sustain an action against him we will arrest him forthwith. Mr. Staph is investigating this matter, and also the authorities with reference to the others, but to give us his opinion. We want yours. Perhaps we may take Chancellor Kent's. It shall be sent to you at any rate. If

The proofs shall be sent to you at any rate. If  
will not make so large a pamphlet as I supposed.  
I leave your opinion, as above, if an account.

will not make so large a profit  
After giving your opinion, as above, if we can-  
play you further we shall expect to commence a new account.  
The 3 suits agst Rens & Minter can be tried

play you farther we shall expect  
The 3 suits agst Rues & Munter can be tried  
as follows - The Supreme Court suit in Sept., the Superior Court  
& Com. Pleas in June. If Mr. Ketchum should be appointed  
Circuit Judge (as it is probable he will be - to succeed Judge  
Edwards (who has reached his legal grand character, over  
60 years!) you will try that case first, namely, he names the  
Supreme Court. You know, I suppose, about the organization  
of our courts. The Superior Court is a City Court; the Circuit Court  
is the court immediately below the Supreme Court.

Very truly yours, Leob Tappan



New Haven April 2<sup>d</sup> 1841

Gentlemen

I have examined the record in the case of the Amistad since the receipt of your letter of the 24<sup>th</sup> in reference to the questions you suggested for my consideration.

I am of opinion that it is too late for the Africans to interpose a claim for the proceeds of the Sch<sup>r</sup>. It is true those proceeds are yet in Court; but they are held by the Clerk subject to a decree of the Circuit Court, affirmed <sup>by</sup> the Supreme Court, in which it is expressly found "that the said Schooner is lawfully owned by the subjects of Spain" and the proceeds are directed to be "paid over to such person or persons agent as may be designated by the Minister of Spain." It appears to me that this finding and decree must be conclusive upon the Africans, who have been parties to the proceedings from the first, (without interposing any claim to the property. The question in relation to their interest in the vessel & cargo, was not overlooked by their counsel in preparing their answer to the libel, but it was deemed advisable not to urge



that claim, from an apprehension that it might  
prejudice them on the question whether they could  
be deemed pirates within the meaning of the  
9<sup>th</sup> article of the Spanish Treaty, on which our  
opponents so confidently relied.

In regard to your second inquiry, what I think  
of a suit or suits in favor of the Africans for false  
imprisonment, and whether it should be brought  
against one or more of the persons concerned,—  
the late President, Secretary of State, Judge, Dis-  
trict Attorney, Marshal, Lt Gidney &c, I have had  
more difficulty in coming to a conclusion satisfac-  
tory to my own mind. But, on the whole, af-  
ter an attentive examination of the record &c in  
reference to this question, I am of opinion that  
if such an action should be deemed expedient  
(of which I entertain serious doubt) it should be  
brought against Lt Gidney. His seizure of the  
Africans was without warrant and tortious. All  
that they have since suffered was in consequence of  
his wrongful act.

But from the time of their arrival and arrest  
at New London, they have been held, according to



the decision of Judge Thompson on the *Hebe* Cor-  
pus, under the process of a Court having jurisdiction  
of the subject matter. They were arrested 1. as crim-  
inals on a charge of piracy, and bound over to the  
Circuit Court. Although, on the facts as they  
appeared before that Court they had been guilty of no  
offense cognizable by the Courts of the U.S. neither the  
Judge who bound them over, nor the Marshal were thereby  
rendered trespassers. They were also seized by the  
Marshal on process against them as property 1. on the  
libel of *Pedro de*, 2. on the libels of Ruiz & Montez  
which were filed before they were discharged from the  
criminal process, 3. on the suggestion of the District  
Attorney. In these libels the negroes were claim-  
ed to be Spanish property. They were alleged by  
Ruiz & Montez to have been taken possession of by  
a public armed vessel of the U.S. under such cir-  
cumstances as to entitle them to demand their re-  
turn as property under the Treaty. They were des-  
cribed not as Africans; but as negroes lawfully held  
in slavery in the Island of Cuba. The Supreme Court  
has decided that if these negroes were at the time law-  
fully held as slaves under the laws of Spain, and recog-  
nized by those laws as property capable of being lawfully



"bought and sold, They may be justly deemed  
"within the intent of the Treaty, to be included un-  
"der the denomination of merchandise &c. The libels  
thereon on the face of them presented a case  
within the jurisdiction of the District Court.

In deciding the Habeas Corpus of Judge Thompson  
said: "If the District Court has jurisdiction of the  
"case it has a right to take the subject of litiga-  
"tion into its custody." Its process therefore was not  
void, but justified the Marshal, notwithstanding  
they were ultimately decided to be free men and  
not property.

In regard to the late President, and Secretary  
of State and District Attorney, I am of opin-  
ion that neither of them is liable to be sued  
in an action of Trespas, for a false imprison-  
ment of the Africans. As they were detained  
under the regular process of a Court, having  
according to the decision of Judge Thompson juris-  
diction of the case, the liability of those who  
were instrumental in their detention would in  
my opinion depend upon the question whether  
their acts were malicious and without probable  
cause.

United States



Extract of a letter from Hon. J. L. Adams

3<sup>d</sup> April 1841.

"I should rejoice if by the institution of suit for the unlawful arrest and <sup>false</sup> imprisonment of the African, there could be a fair and impartial review of the decisions of the District, Circuit and Supreme Courts of the United States, so as to harmonize with that final decision of the highest Court which pronounced the Africans free. But I see not how you can get at the questions. The allowance of salvage to Lieut. Gidney upon the vessel and cargo as Spanish property not only legalizes his seizure of them but rewards it as a meritorious act. The arrival upon the soil of the State of New York of more than twenty persons and the transportation of them by sea to another State, is a grievous affliction to me, but it has been sanctioned by the whole judicial authority of the Union. Eighteen months of imprisonment under the arrest, grates upon my spirit it hark discord, but how can the sentence sustaining all this be reversed? I can only hope that it will never be recognized as authoritative precedent in any future controversy.

The decisions of the District Court, in the case of the boy Antonio, the only part of the decree which the late Administration approved, was that which appeared the most excusable to me. Whether the Judge had been suitably informed with regard to the desire of Antonio to return to his mistress, or whether he has reconsidered his own induration I consider <sup>uncertain</sup>. It is fortunate that the decree concerning him has not been ex-

It is most wrong to suppose that the Africans should be at liberty to return to Cuba, or to stay here at his own option, that that is a different case to a Spanish slave as the slave is a



New York, April 13/41.

R. S. Baldwin, Esq.

Dear Sir,

Enclosed is an extract of a letter from Mr Adams, and a copy of Mr Staples' opinion. I have put into the hands of each of those gentlemen a copy of your opinion. Having <sup>now</sup> each others views you may choose to suggest something further. Also please let us hear from you on the subject.

A copy of your argument shall be sent seasonably to Mr Peto at Philadelphia, and copies to the other gentlemen whose names you have given.

Respectfully & truly yours  
Lewis Tappan



Had the District Court of the U. S. for the District of Connecticut jurisdiction over the Africans taken with the Amistad?

Had the Court jurisdiction over the Africans taken from the east end of Long Island?

The first question involves the inquiry whether any District Court of the United States had jurisdiction over them upon any proceedings in admiralty. And the second question involves the inquiry whether the District Court of Connecticut had any jurisdiction over these Africans taken on the land on the east end of Long Island.

My opinion is in the negative and always has been on both those questions. I have not even before me the late opinion of the Supreme Court and surveyed it but once; and then rather hastily; but I do not recollect anything in that opinion which goes to overrule this opinion.

If this opinion is correct then the record of the proceedings of the District Court and of the other Courts on the appeal case afford no justification for the imprisonment and detention of the Africans by Gedney, Mead - the Marshal or his Deputy.



The consequences are obvious.

I have not time to write out the train of Reasoning which has brought my mind to the above results. Nor would it be important that I should, as the counsel who must be employed if these questions are further moved upon cases actually made, would choose to think and reason for themselves.

(signed) Seth P. Hopley

New York, April 6. 1844.



Cambridge St. April 7. 1841

Sir:

I have just received a communication from  
the Spanish Consul, resident at Boston, saying that the  
Spanish Minister directs him to cause the boy Antonio  
to be sent to Havana, to his Master, as soon as practicable

This notice will render it inexpedient to allow  
your Master to discharge.

With great respect

Your Obedient Servant

Andrew S. Friedman

Hon R. S. Baldwin



New York, Apr 11/71.

R. S. Baldwin, Esq.  
Dear Sir,

Your several favors are received.

Have to a check for \$200, out of which please to pay  
C. A. Ingersoll, Esq. \$2 for copies of paper, and send me  
his receipt, and yours for \$198 on account which is due you  
from the Anti-Slavery Funds.

I sent you the lith page &c. of your  
Speedy mail today. The corrections are all accurately  
made I believe. 2000 copies are to be printed. 100  
of them will be sent to you for your own disposal. Will  
you advise me as to the disposition of the 1900? We shall  
advertise them for sale, but you know such pamphlets must  
be given away chiefly. We want to do the most good with  
them. We shall send 50 to England - a copy to all the  
U.S. Judges, Dist. Attorneys, Clerks & Marshals. It may  
be well for you to give us the names of those you send to in  
order that we may not send duplicates; or if you will favor  
with the names they shall be sent in your name from  
the office here.

Respectfully & truly yours!

Ellis Tappan

In publishing our statement of Receipts &  
Expenditures we have entered more into  
detail than we should have done if no money had not come from such sources.



J. Roger Shuman, Barrister, Esq.

New Haven,

Dear Sir,

The Committee acting on behalf of the Africans of the Amistad feel themselves bound to make to you a more formal expression than they have hitherto done, of the estimation in which they hold your professional services in the management of the great case involving the liberty and lives of our humble clients, which has just been brought to so happy a conclusion.

Having been retained as counsel in the case at the very beginning, you have devoted yourself to it for a year and a half with an earnestness and assiduity that could not have been prompted by a mere professional apprehension of the legal importance of the questions involved, but which could have been produced only by the impulses of benevolence in behalf of the helpless and the stranger. Bringing to the task a mind fraught with learning and trained to inquiry, with a mature and cautious judgment, you have been able to investigate the various legal questions, to manage the details of practice, and to argue the several issues before the different Courts, in a manner that has gained the unqualified admiration of all who have watched the progress of the case. We could not have anticipated, that in a case so novel, with so many and so powerful opposing influences, and travelling on ground hitherto so cautiously avoided, there should have been so very little omitted which we might now see could have been done with advantage, so very little done in a way that we might now think it could have been done better, and nothing done which we could now wish had been left undone. The complete and final victory which has crowned the case, in the face of so many taunting predictions of enemies, and



desponding fears of friends, is the best attestation to the wisdom and  
fidelity with which it has been conducted. And as the laboring  
can have been chiefly in your hands, and the main responsibility of  
the case has rested on your shoulders, and we doubt not has weighed  
heavily on your mind for many long months, we feel that the hap-  
py issue is to be ascribed, under favor of a kind Providence, in a  
very great degree, to your skillful and able efforts...

For these services and labors and cares, dear  
sir, we feel that the pecuniary recompense which the public libe-  
rality has put it in our power to offer, is the smallest part of your  
reward. You will not undervalue the professional reputation, of  
having made one of the most learned, finished, compact, well ar-  
ranged, complete and conclusive arguments ever presented in the  
Hall of the Supreme Court of the United States. The respect of this  
world and the good in our own and other countries, for the upright  
and learned counsellor, who not only dared to undertake such a  
cause, but who carried it through and gained it, you will largely  
enjoy. But the sweet consciousness of having labored, and with  
success, for the deliverance of the poor and needy, and him who had  
no helper, out of the hands of the haughty destroyer, will be more  
than all the rest, and can only be exceeded by the hope, which we  
devoutly pray may ever fill your bosom, of our day hearing the  
Savior and Judge of the World say before the assembled uni-  
verse, "I was sick and ye visited me, I was in prison and  
ye came unto me."

Accept, sir this feeble expression of our thanks,  
with our best wishes for your prosperity.



My dear friends

New York, April 15, 1841.

Simon J. Jocelyn  
Lewis Tappan  
John Leavitt

New York, April 21/41.

R. S. Baldwin Esq

Dear Sir

Annexed is a check for \$200 which  
is the balance due you I believe. If correct please  
send me a Receipt.

Respectfully Yours Lewis Tappan



New-Haven

New York, April 17/41.

R. S. Baldwin, Esq.

New-Haven.

Dear Sir,

The Agent of the A. & F. A. S. Soc. has  
sent to you, by my direction, 100 Copies of your Argument.  
I have thought it might be well to have them on sale at  
one of your Bookstores. Will you put some of them and put  
direction, with one or more of the above letter that accom-  
pany the pamphlets. I mentioned you can take as many  
of them as you please to send to friends, & can have more  
from here. Its second & 3rd paper - J. of Commerce  
Commerce - E. Post. and American are handsome re-  
views of the pamphlet.

Respectfully yours

John Tappan

P.S.

I am afraid the Agent  
did not pay the freight  
of the parcel. He did  
not let it & other copies  
come out of the bag.



Copy of letter to  
~~S. P. J. Judge, John Lewis & Lewis~~  
Tappan Am. A. Comm. cc.

Draw the June letter of the 21<sup>st</sup> with check  
for \$202 was rec'd, & is in full for the balance  
of my fee for the assisted car.

I thank the committee for the kind & obliging expressions contained in their letter of the 15<sup>th</sup>, assuring me that my professional services in the interesting case which has so long engaged our sympathies, have met their approbation. But I should do injustice to my own feelings as well as to the committee were I to omit to state that I have already had occasion to mention in reply to a communication from abroad, - that in my opinion the happy result is chiefly owing to the ceaseless & untiring exertions of your self & your associates.

I am very truly

Yours &c

R. B. Adams

Northam June 23<sup>rd</sup> 1844



June May 10<sup>th</sup> 1841

Honorable R. S. Baldwin

Sir

I have taken

the liberty to forward to you a petition which we wish presented to the Legislature.

We hope you will be pleased to look upon it favorably and urge the House to take some action on it. — Although it might not be proper to say as much in a petition yet to you sir we can freely say that from the knowledge we have of the sentiments of the intelligent portion of the colored people in this state — and they are not a few — the whig cause would lose nothing by our possessing the privilege of writing but would be undoubtably strengthened —

For the last four years we have turned our attention to politics, and by not being prejudiced beforehand in favor of either party, we have been able to judge the merits of both. The result has been that 9/10<sup>ths</sup> of the intelligent colored men are whigs. And though the whig party may be so strong in this state now, that our votes may be of but little consequence, yet a remembrance of the forbearance of the whig party heretofore in oppressing us — and the vituperations heaped upon us by the loco party, and above all the fact that it was the whigs who gave us the right of suffrage, will prevent the loco party ever gaining the ascendancy in this state, should a reaction take place. I am fully aware that I have taken great liberty in writing to you yet the necessity of this case must be my excuse.

yours with the utmost respect

Joseph Barron



[ca. June 12, 1841]

Dear Sir

Your favor proposing to run  
the gang of your establishment.  
for the last I found here on my re-  
turn from H<sup>d</sup> at the close of the  
last week.

After reflection I have come to  
the conclusion that in a matter of  
so much delicacy, in which without  
entire accuracy injustice might be done  
to individuals, I cannot consistently with  
my other avocations assume the <sup>great</sup> responsi-  
bility. Such a acceptance of the gang  
proposed by you would require that you  
me.

Should it be in my power to aid you  
by any information in any I may possess  
in answer to particular inquiries, it would give  
me pleasure to do so. I am very truly  
your

CR. S. Robinson to Lewis Tappan



[R. S. Baldwin to Mr. E. Barry?]

New Haven June 12 / 41

Letter of the 3<sup>d</sup> was duly received by me  
atford.

bill reported by me on the subject of  
your letter passed the House of Representatives  
without opposition.



San Juan 18/18/61

The Supreme Ct of the U.S. has  
 seen of the Committee that Capt S. was entitled  
 to a pension at the last term of the C. Ct. and  
 the Dist. Ct. allowed sol. on the goods of Lord A  
 & Alpa & Laca. The costs have been incurred  
 & apportioned among the owners of the cargo  
 Judge & the balance of \$319.38 decreed to be paid  
 to Tullencia on his part of \$577. to be paid to  
 the other parties  
 from the record a statement of the value of the  
 cargo & the salvage & costs allowed to the owners as  
 follows:

Gross value of all the goods on board the Amiga	6175.20	
Salvage allowed 1/3	2058.53	3791.51
Costs of goods to be sold	1737.24	2783.90
Gross value of goods of Lord A Tullencia	826.94	
deduct 1/3 for salvage	275.647	
cost of appraisement	271.91	
balance due to Lord A Tullencia	319.38	
Gross value of goods of Lord A Tullencia	1494.74	
deduct salvage 1/3	24	
proportion of cost	28	970.52
bal. decreed to Lord A Tullencia	577.22	
The sum remaining for Lord A Tullencia & Alpa & Laca	319.38	896.60
decreed to be paid to them on the 1st of Jan. 1842	577.22	
please direct whether 1/3		



Chapter 1

1840

1840  
A.S. Co. Ct  
H. 1/10

To let me see in case  
of A. T. H. & A. H. L.

1841  
A.S. Co. Ct  
H. 1/10  
H. 1/10

To do a hearing before the  
H. 1/10

Copy to  
H. 1/10  
H. 1/10







cpd

New York, Dec. 14/41.

H. J. Baldwin, Esq. New Haven

Dear Sir,

The *Albion*, with 5 religious teachers, sailed from this port Nov. 27th, & letters from the acting Governor of Sierra Leone, received since their departure, assure us that on the arrival of the *Albion* and the missionaries they will be cordially received & conveyed to Freetown at the public expense.

A claim has been expressed from various quarters that application should be made to our Govt for the proceeds of the *Albion* & cargo, for Conger & his comrades, to whom the property rightfully belonged. If you think there is any reasonable ground to hope for success the Committee will employ you to draw up a Memorial to Congress on the subject; or they will do so if you think the claim is founded upon law. I shall be glad to hear from you on this subject at an early day.

Do you think Congress would also entertain an application to reimburse us for the expense of sending them back to Africa?

Respectfully & truly yours  
Wm. Tappan



New York, June 23/92.

R. S. Baldwin, Esq.

New Haven - Conn.

Dear Sir,

You were so kind, some time ago, as to give me the name of Mr S Perkins, esq. of New London, as a lawyer who could be depended upon. My present business makes it necessary for me to have an attorney in each county or shire town (where I have not a correspondent who furnishes me information & does the collecting business according to the plan laid down in the circular which I sent you some time since) of whom I can make specific inquiries in return for throwing all the business I can into their hands. As Perkins's health is such, he writes me, that he can not at present enter into any engagements for the future. I will therefore ask the favor of you to give me the name of another good collecting attorney in New London, <sup>or two in case of accident.</sup> At the trial of the Amistad captives at New Haven I thought well of Mr Cleveland (I do not know his real name) but I know nothing of his honesty, capacity or promptness as a collector.

Very respectfully & truly yours,

Lewis Tappan

P.S.

You will perceive from the Reporter sent to you that the intelligence from your old clients is not so favorable as we could wish. We felt bound, however, to tell the truth about them. I am afraid that Colonel Sumner & his allies did not aid beneficently the young gentlemen of the Theoz. School in communicating right principles to Congress & the rest. But your labor & ours have not been in vain. Let us hope for the best.



San Francisco January 16, 1849.

Dear Sir,

I have just received the opinion of Judge Thompson, which was to have been sent me while at New Haven: it was directed to San Francisco instead of New Haven. Having mentioned to you that the case had been stated to him, I now take the liberty to communicate the substance of his opinion.

The case stated to him was as follows.

A petition is filed against an insolvent Merchant owing more than \$2000, by creditors whose debts combined amount to more than \$500, and before the return day for the decree in bankruptcy, a part compromise, so that the debts of the petitioning creditors are reduced below \$500- and the general indebtedness below \$2500.

On the refusal of the original petitioning creditors to go on, can other creditors, come in and pierce the case?

Judge Thompson answers: "Altho I am not as clear in this case, as I was in that (the case which I show you) yet I am of opinion, that the jurisdiction of the Court has



Mr. S. D. Smith & Co. New  
Canterbury Ct. Dec. 18. 1847.

Dear Sir

I accept my thanks for a copy of the Memorandum  
but I am quite sorry to see in it a recommendation  
for the payment of the claims of Worshipful Blair on  
account of the Administration provisions.

I wish the President had taken  
the trouble to have investigated the fact and  
then all important fact in that case, before  
he had made the recommendation.

Were these negroes ever the property of  
any Spanish subject? Surely not.

Then if not the property of Spanish  
subjects, how should the Queen's minister  
ever think of allowing pay for them?

The Decree of 1819 prohibited the  
importation of Africans into Spain and  
her dominions, and as there were freshly  
imported, they fell within the class called  
Bozals. The false names, and the  
fictitious permits or pases could not strengthen  
a title wholly groundless before

I need not however  
speak to you of <sup>the</sup> absurdity of this claim,  
because every fact and principle involved  
in the case are familiar.



and I have no doubt, should the question  
ever come before the Senate, it will  
meet ample justice at your hands,

With great respect

Yours truly

Amos A. Phelps



Hon. R. J. Barnum

W. S. Lawrence



Dear Sir

Your letter of the 23<sup>d</sup> is received; -  
Referring to my argument in the Amistad  
case, and to my remark (p. 20) that "the Con-  
vention which framed the Federal Constitution,  
though they recognized slavery as existing in  
 regard to persons held to labor by the laws of  
the States which tolerate it, were careful to ex-  
clude from that instrument every expression  
that might be construed into an admission that  
there could be property in men." you ask  
"how does it appear that Slavery is recognized  
" in Art. IV sec 3 of the Constitution? Is any service  
" or labor due from a slave? Does not the term  
" imply a contract - an obligation, a quid pro quo?"  
My views in regard to the meaning of the con-  
stitution on the subject to which you refer, were  
given in my speech in the Senate on the Califor-  
nia question on the 27<sup>th</sup> of March and 3<sup>d</sup> of April  
1850, more fully perhaps than in the speech before  
the Supreme Court <sup>in the Amistad case</sup> ~~on the same subject~~. They <sup>had</sup> ~~were~~  
in one respect, - not material to the point now under  
consideration, - ~~had~~ been uniformly modified by the  
opinion of the Supreme Court, & pronounced by Judge  
Story in the case of Prigg in the Commonwealth of Massachusetts



in which it was held that the duty imposed  
by the clause in the Constitution to which you  
refer pertained exclusively to the Government of the  
United States, and to the State Governments as I had before  
maintained (p. 15). To that decision of the highest Tribunal of the Land  
I oppose that the framers of the Constitution were  
careful to exclude from that instrument every ex-  
pression that might be construed into an admission  
by the people of the United States that there could  
be property in man, because they did not deem it  
proper that the Nation — composed as it was of the  
people of free States as well as of Slave States — should  
be responsible as such for the existence of slavery.  
They therefore recognized it as existing by the laws of  
the States which tolerated it, without intending to  
make any declaration whatever in the name of  
the people of the United States in regard to the justice  
or propriety of those laws. Leaving that and all  
other responsibility not expressly or impliedly confided  
to or imposed on the federal Government, to be  
borne by the several States, they intentionally a-  
voided the use of language from which a different  
inference might be drawn.

The clause in the Constitution to which I had  
reference as recognizing, and which <sup>does</sup> in my  
opinion ~~does~~ recognize slavery as existing in  
regard to persons held to service by the laws  
of the several States, or some of them, is



the 3<sup>d</sup> paragraph of the 2<sup>d</sup> section of article 1<sup>st</sup> of the constitution.

I. by which it is provided that "representation and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons." I do not know what other class of persons but slaves can be intended by the words other persons than "free persons" including those bound to service for a term of years and excluding Indians not taxed."

Article IV sec. 3. to which you allude, does not refer exclusively to slaves. Its language is general and applicable to all who are held to labor by the laws of any State. It applies to free persons bound to service as well as to slaves. A preceding article in the constitution has been of a State, that any person who is bound to service by the laws of the State shall be held to service by the laws of the State. But in my opinion its intention is to provide a remedy for the State to which the person is bound, but it was evidently not the intention of the convention in forming a constitution for the Union to make any distinction between the rights of the people of the U.S. in regard to the justice or propriety of their laws having that and all other responsibilities not expressly or implicitly contained in the constitution or to deprive any State of its power to enforce its laws. They carefully avoided the use of any language from which a doubtful inference might be drawn.

The constitution affirmed that every State of



capt so far as it is restrained by the Constitution of the U.S.  
in ~~its~~ jurisdiction over all human things within its territorial limits, and  
has the legal power, ~~inherent in its own sovereignty~~  
to establish the relations of its own people to each other  
~~within the limits of its own jurisdiction~~, according to  
its own legislative discretion: & that the Government  
of the United States, being established for general  
purposes, ought not to have the power to in-  
terfere with the internal policy of the States,  
but should leave them in that respect to exercise  
their jurisdiction on their own responsibility and  
according to their own discretion.

It therefore appears that the rightfulness of its  
legislation in regard to its own inhabitants by  
a State, and of the legal relations it chooses to  
establish, ought not to be made the subjects of  
investigation by the tribunals of other States or of  
the United States. So in like manner it requires  
that full faith and credit shall be given in  
each State to the judicial proceedings of every  
other State, irrespective of the justice of the decision,  
which, where the parties are within the jurisdiction of  
the Court, is not allowed to be inquired into else-  
where.

Such being the theory of the Constitution in re-  
spect to State legislation, an escape by any person  
from the jurisdiction of a State, on whom by the laws of  
that State a duty is imposed to render service or  
labor to another, is deemed a wrong to that State, and  
by the laws of the State a legal claim to the personal  
services of the fugitive. This labor, ~~under the law~~



of the State from which he fled belonged to his master. The justice of the legal relation, there established, not being repented by the constitution as a proper subject of inquiry elsewhere, consistently with the relations of the States to each other in the Federal Union, it provides - that "no person held to service or labor in one State under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor, but shall be delivered up on Claim of the party to whom such service or labor may be due." But you ask, "Does a man owe labor that is coerced?"

I apprehend that the convention when they used the word due, intended simply, due by the laws of the State. This word "due" is <sup>commonly</sup> defined <sup>not only a debt, but</sup> to mean "that which belongs to one; whatever custom or law requires to be done." Thus, taxes are commonly spoken of as due to the State. Obedience is due from a child to his parent. Allegiance is due from a citizen to the Government. And it is in a similar sense that the word appears to have been used in the clause to which you refer comprehending the legal duty to render personal service in the State from which the escaped fled. To the law of the State imposing the obligation the Constitution allows extra territorial force for the single



purpose of enabling the person entitled by that law to the service of the fugitive, to reclaim and restore him to the State from which he fled. & where alone the service can be required.

You will perceive that Mr Adams, who followed me in the argument of the Amistad case, at page 39 of his printed speech says:

"The Constitution of the United States recognizes <sup>the</sup> slaves held within some of the States of the Union, only in their capacity of persons — persons held to labor or service in a State under the laws thereof — persons constituting the elements of representation in the popular branch of the Legislature — persons the migration or importation of whom should not be prohibited prior to the year 1808. The Constitution nowhere recognizes them as property. The words slaves and slavery are studiously excluded from the Constitution. Circumlocutions are the fig-leaves under which these parts of the body politic are decently concealed. Slaves therefore in the Constitution of the United States are recognized only as persons enjoying rights & held to the performance of labor."

While the framers of the Constitution ~~and not~~ <sup>page of the U.S.</sup> ~~did not intend~~ <sup>to use language that should make the people of the U.S.</sup> ~~to use language that should make the people of the U.S.~~







Mrs R. S. Baldwin,

New Haven, Conn.

Dear Madam,

Permit us to mingle our sympathies with the numerous friends of your departed husband who express to you their sense of his exalted virtues, and your imperable loss.

It is now upwards of twenty three years since we, in the capacity of a Committee representing thousands of benevolent persons, employed him as counsel of the Amistad Africans, whose cause he readily understood and prosecuted with untiring vigilance and consummate ability which many in his profession, from political or professional reasons, shrink from the impopularity of vindicating those <sup>who were in captivity</sup> who, under a charge of crime deserving, in the opinion of a large portion of the community, to be executed <sup>only</sup> by an ignominious death on the scaffold.

The cause thus manfully & heroically undertaken was carried through various Courts until it came <sup>for final decision</sup> before the Supreme Court of the United States at Washington. There the poor Africans were defended by your husband, as associated counsel with the Honorable John Quincy Adams, who had shrunk from the arduous labor involved in an acceptance of the urgent request of the Committee on account of his great age, and the loss of familiarity with legal proceedings, but who, in being assured that Mr Baldwin's services had been secured, and that he would prepare his Brief, replied with great animation, "If he will do that I will undertake."



Mr Baldwin's able argument before the  
Supreme Court was published, and read not only  
by the profession generally, but by the leading  
men of the country. It was deemed unanswerable,  
and it settled the question that the negro were  
entitled to their liberty. Mr Adams said of it,  
"The rights of my clients to their lives and  
liberties have already been defended by my  
learned friends and colleagues in so able and  
complete a manner as leaves me scarcely  
anything to say".

Mr Baldwin's feelings, as well as his  
intellectual and legal powers, were deeply enlisted  
on behalf of the much injured Africans of the  
Americas; he greatly rejoiced in their deliverance  
and restoration to their native land; and he has  
left a record for the institution of justice not  
only evidence of his distinguished ability in this  
case as a legal advocate, but proofs of his  
philanthropy in efforts for his deeply wronged  
and oppressed fellow-men.

With the highest veneration for the  
character of your departed husband; and  
our most cordial sympathy with you and  
your children in this time of bereavement,  
we remain, dear Madam,

Very respectfully and truly, your  
friend

Wm. L. Garrison  
John F. Lincoln  
G. S. Jocelyn



OFFICE OF E. B. SHERMAN,

Master in Chancery

Of the Circuit Court of the United States.

ROOM 11, NO. 103 ADAMS STREET.  
Opposite Main Entrance Post Office.

*Chicago, February 10th, 1888.*

Hon. Simeon E. Baldwin,

New Haven, Conn.

My Dear Sir:-

I have perused your address on "The Captives of the Amistad" with intense interest.

When I was about seven years of age, my father, Elias H. Sherman, resided in Enostburg, Vermont. He was one of the original abolitionists and was a "conductor" and "station agent" of "The Underground Railroad." One morning I found that a handsome young negro had mysteriously arrived during the preceding night; it was Antonio, the cook of the Amistad, who had escaped. He was jolly and good natured and helped about the cooking. Greatly to his amusement, I experimented to see whether the color on his hands would rub off. A night or two afterward, he disappeared as mysteriously as he had come - my father had taken him to Canada, about fifteen miles distant. Antonio told me all the circumstances connected with the capture of the Amistad, and his escape through the kindness of friends. The occurrence made a very vivid impression upon my mind, and I recall the circumstances, as though but yesterday.

Accept my sincere thanks for your very valuable paper.

Your friend,

*E. B. Sherman*



# THE DAILY HERALD.

PUBLISHED BY WOODWARD AND CARRINGTON,  
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Friday, January 10, 1840.

FOR PRESIDENT,  
**WILLIAM H. HARRISON,**  
OF OHIO.

FOR VICE-PRESIDENT,  
**JOHN TYLER,**  
OF VIRGINIA.

## U. S. DISTRICT COURT. Africans of the Amistad. Thursday afternoon.

The examination of Antonio was concluded; his testimony however is so entirely consistent with that already given, as not to need repetition.

The District Attorney then introduced the depositions of James Ray and George W. Pierce, mariners on board of the cutter, giving a detailed statement of the capture of the Africans on the Long Island shore. They were however mere repetitions of what has already been extensively published.—He also introduced the papers of the Amistad and the permit to Montez and Ruiz, authorizing Montez to take three negroes, Juana, Francisca and Josepha, and Ruiz 49 slaves, on board the Amistad to Principe—also a permit to Ruiz to pass from Porto Principe to Havana, on his usual mercantile business.

The counsel for the Africans introduced Mr. D. Francis Bacon, of this city, as a witness, who testified that he left the coast of Africa on the 13th of July last—that he knows a place called Dumbokoro—it is an island in the river or lagoon of Gallinas.—There is an extensive slave factory or depot there—there are different establishments on different islands.

Gen. Isham—What is all this—what has this to do with the case before the court?

Mr. Baldwin—We expect to connect it with the case by showing that a part at least of the Africans were recently carried from this very place to Havana.

Witness—The person in charge was named Don Alvarez. The surname is not used by Spaniards in addressing each other. The establishment is said to belong to the house of Martinez, in Havana. The vessels trading there have the private signal of that house—a white flag with the letter M. I know Pedro Blanco well. I have been in his house—he is now at Havana—his house is upon another island in the Gallinas, but a short distance from Dumbokoro. He had also an establishment of his own, begun in 1824 or '25, and he left in May, 1839.

The Africans deal extensively in slaves—it is an extensive commerce—some are prisoners of war—they are brought from a country in the interior, called Logobor—the different towns or villages make

dingos. They are the most intelligent and best educated nation in this part of Africa. The most intelligent and most useful agents of the slave dealers are those who are educated at Sierra Leone; they are the most useful because they have education and speak English.

I have seen the Africans here—I cannot determine the nation to which they belong from their appearance. They have a general resemblance to the many thousands I have seen at Gallinas. I know nothing of the interior of Africa. Mendi is described to be farther in the interior than my information extended. I made inquiries, and tried to take some notes, but all persons declined to inform me. Dared not venture in the interior myself; in fact the people are suspicious of every person who makes inquiries and takes notes.

Negroes are frequently sold for debt along the coast—I do not know that it is so at Gallinas—also for crimes.

District Attorney—Do the Africans understand the nature of an oath?

Mr. Baldwin—What possible propriety can there be in that question? The Court has admitted the Africans here to be sworn. Does the gentleman intend, by showing that the natives of Africa are ignorant of the nature of an oath, to prove that the Court has erred?

Mr. Attorney withdrew the question.

The District Attorney moved for a postponement of the case, on the ground of the absence of an important witness, Mons. Viga, who is sick at Boston, and who, he claimed, would prove that slaves were an article of commerce in Cuba, and that there was no law to prohibit the traffic; and also disprove all the facts stated by Dr. Madden.

Mr. Baldwin proposed to call upon the Marshal to prove that at New London Mons. Viga said that the slaves were from Africa, and by the laws of Cuba could not be held in bondage,—in order to show that his testimony could not be material, and that the case ought not to be postponed on that account. He argued that as the Attorney had received information of the sickness of the witness the day previous, and had suffered the case to go on for the purpose of fishing out the evidence on the other side, he certainly could not have the face to claim a postponement.

Court—Mr. Baldwin, you have used very improper language, and have made an improper imputation against the Attorney. If he had made the motion yesterday, I should not have postponed the case until all the testimony which could be obtained had been in, and the word you use imputes a course to the Attorney of which he has not been guilty.

Mr. Baldwin—I did not use the term in the sense understood by the Court. I withdraw it.

Mr. Staples—Certainly the course taken has drawn out all the history in the case, and it will now be exceedingly pleasant to the Attorney to draw up evidence on the points that pinch him. There would

The argument v  
behalf of Lieut. G  
Ellsworth, present  
and Mr. Cleavela  
salvage of Lieut. G

A full synop  
will be given to-mo

To the E

GESTURES.—I  
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January, 1838, afte  
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Yours,

Mechanica' Soci



1824 or '25, and he left in May, 1830.

The Africans deal extensively in slaves—it is an extensive commerce—some are prisoners of war—they are brought from a country in the interior, called Langohar—the different towns or villages make war upon each other for the purpose of making captures—these wars are not encouraged by the slave dealers—they merely purchase those who are brought upon the coast for sale—the slaves are not all prisoners of war, some are sold as slaves on account of their crimes, often for crimes for which persons are put to death, when the slave trade does not exist—none but negroes penetrate the interior—it is extremely dangerous for a white man to attempt it. A Spaniard however invited me to go with him two or three days journey, to the place intermediate, between the coast and the Langohar country, an interior rendezvous or mart.

The Langohar country extends from about 30 miles south of Gallina to about 2 or 300 miles north, and an unknown distance towards the interior. I did not and never could learn of any country beyond it. The nearest point of that country is about two days journey, or 60 miles from the coast. The distance is there measured by day's journey on foot, usually estimated at about 30 miles.

The slaves are of all ages and conditions—about one half are children. They are more profitable—never heard of the Mandi country until I came to New Haven—I was two years and seven months on the coast—I left Gallinas on the first of March and the coast on the 13th of July—the Vair nation extends about 100 miles cross wise—the slave factory in question is on an inlet in Gallinas, called ~~the cotton tree~~ <sup>the cotton tree</sup>, from the fact that a large cotton tree stands there, which is used as an observatory.

understood by the Court. I withdraw it.

Mr. Staples—Certainly the course taken has drawn out all the history in the case, and it will now be exceedingly pleasant to the Attorney to draw up evidence on the points that pinch him. There would then be a long talk in the case. We wish it finished, and we trust the Court will not postpone it by a rule that no testimony shall be introduced except that of Viga, and what we may introduce to contradict him. For the sake of finishing the case we will consent that the Attorney shall prepare a statement of what the witness told him he could testify, and his statement shall be taken as the deposition of the witness.

Gen. Isham gave an extended detail of the facts connected with the suits against Ruiz and Montez in New York, and suggested that if the case was postponed he might wish to introduce Ruiz as a witness.

Mr. Staples—Who is Ruiz—who proposes to examine him? Ruiz is a party—can he be sworn?

Gen. Isham—Yes, he can.

Mr. Staples—After what has passed, I ought not to be surprised at any thing. This person might have been discharged on bail—persons offered any they needed. They have agents in Boston, N. York and New London.

Gen. Isham—New London is not Bandakora.—We have no slaves there.

Mr. Staples—I do not know what that has to do with the question, any more than their whale ships. I hope there is no person there engaged in the slave trade—I trust there are none except lawyers. He says he wishes to introduce a party as a witness.

Gen. Isham—I do not—I am not about to do it.

Mr. Staples—What then do you intend—what did you make your long speech for?

Gen. Isham—Sit down, and I will tell you. I am



the most intelligent and best educated part of Africa. The most useful agents of the slave dealers educated at Sierra Leone; they useful because they have education.

Africans here—I can not determine whether they belong from their appearance to a general resemblance to the people I have seen at Gallinas. I know the interior of Africa. Mendi is described in the interior than my information from the inquiries, and tried to take some persons declined to inform me. Dared to enter the interior myself; in fact the people here every person who makes inquiries

frequently sold for debt along the coast now that it is so at Gallinas—also

they—Do the Africans understand an oath?

What possible propriety can there be in an oath? The Court has admitted the necessity of an oath. Does the gentleman insist that the natives of Africa are ignorant of an oath, to prove that the

withdrew the question.

The Attorney moved for a postponement on the ground of the absence of an impleaded party, Mons. Viga, who is sick at Boston, and would prove that slaves were trafficked in Cuba, and that there was a demand for the traffic; and also disprove all that Dr. Madden.

The Attorney proposed to call upon the Marshal of New London Mons. Viga said that he would call upon Mons. Viga from Africa, and by the laws of Cuba would be in bondage,—in order to show that the evidence could not be material, and that the case should be postponed on that account. The Attorney had received information of the fitness the day previously offered the case to go on for the purpose of the evidence on the other side, and did not have the face to claim a post-

The argument was opened by Mr. Brainard in behalf of Lieut. Gedney; he was followed by Gov. Ellsworth, presenting the claims of Captain Green, and Mr. Cleveland, who opposed the claims for salvage of Lieut. Gedney and Capt. Green.

A full synopsis of the arguments of Counsel will be given to-morrow.

#### *To the Editors of the Herald.*

GENTLEMEN.—In connexion with the report of the evidence yesterday given in the case of the *Amistad*, allow me to state a few circumstances explanatory of the manner in which I became possessed of the facts to which I testified.

I was three times at Gallinas during my long wanderings on the coast of Western Africa;—first in January, 1838, afterwards in May of the same year, and last in February, 1839. On each of these visits I was the guest of Don Pedro Blanco, long famous for his large share in the slave trade. From him and all of his agents, and also from those of other establishments, Spanish and Portuguese, in the same business, I received the most unbounded hospitalities. While thus an inmate of their houses, I became familiar with all the details of their business, which was carried on before me in the confidence that I would not abuse their hospitality as a spy; though they had been cautioned that from my connexions I might be dangerous in this way.

In the evidence given, I have therefore been careful to make use of no circumstances relating to the traffic of which I was thus informed, and which are not facts of common notoriety on the coast among those who have never been at Gallinas. To those Spaniards at Gallinas and New Sees, I can never forget my numerous and weighty obligations. When the sea threw me, time and again, a houseless and friendless wanderer on their shore, they received and cherished me, and bade me always seek among them a welcome home in any distress. They were anxious to supply every want, and their attentive kindness followed me to the last moment of my residence abroad. At the first tidings of my shipwreck they sent a vessel to search for me and my companions, then surrounded by perils on sea and land, and from savages, while British men-of-war, scouring the coast for "blood-money," "passed by on the other side," and carried the news to those who had more charity for mariners in distress.

I make this communication, because I consider it unjust both to them and me that my evidence should go forth on any subject connected with them, without accompanying acknowledgment of my gratefulness to those who could so liberally tolerate me as a guest and an intimate friend, when they know my expressed opinions against their occupation.

Yours,

D. FRANCIS BACON.



usually estimated at about 30 miles.

The slaves are of all ages and conditions—about one half are children. They are more profitable—never heard of the Mandi country until I came to New Haven—I was two years and seven months on the coast—I left Gallinas on the first of March and the coast on the 13th of July—the Vái nation extends about 100 miles cross wise—the slave factory in question is on an inlet in Gallinas, called Bandakora, which means the cotton tree, from the fact that a large cotton tree stands there, which is used as an observatory.

I have never heard of the rivers, named by the Africans—we do not commonly use the native names of rivers or places—the Portuguese, who were the first discoverers, have given names to all the most important.

I know of no law which prohibits the slave trade there, nor did I inquire as to the native laws. The law of usage sanctions the slave trade. It is the universal business of the country and by far the most profitable. There is a sort of by-play in camwood and ivory—

Staples—*By play*, what do you mean by that?

Witness—I mean that those who are too poor to purchase slaves, traffic in camwood and ivory.—That is what I call by-play.

Every person who can raise the means, is engaged in it—some are so poor that they confine their traffic to camwood, ivory and other similar articles.

Gallinas is visited by American, Russian and Portuguese vessels. The American flag is a complete shelter; no man of war dares to capture an American vessel. One Russian vessel was captured, sent to Sierra Leone and afterwards to England—it was restored on the application of the Russian Government, with heavy damages.

The Vái country is a part of the Mandingo country, in the widest sense of the latter term. The Vái language is nearly identical with the Mandingo. All negroes are ambitious to claim the name of Man-

and New London.

Gen. Isham—New London is not Bandakora.—We have no slaves there.

Mr. Staples—I do not know what that has to do with the question, any more than their whale ships. I hope there is no person there engaged in the slave trade—I trust there are none except lawyers. He says he wishes to introduce a party as a witness.

Gen. Isham—I do not—I am not about to do it.

Mr. Staples—What then do you intend—what did you make your long speech for?

Gen. Isham—Sit down, and I will tell you—I will explain. The gentlemen is exceedingly obtuse on this point, but sharp enough on others. I wish the case ended. He deals in drumming up matters, and talks of certain things. I am not accustomed to deal in such matters. I have a right to ask the Court that I may examine Ruiz as a witness, if the case should be continued.

Mr. Baldwin agreed that if the Court should be of opinion that Lieut. Gedney had no claim, the deposition of Pratt—excluded for want of notice to him—would be admissible as against Ruiz and Montez, who in fact were represented by the District Attorney, who appeared for the U. States and the Spanish government, on behalf of the rightful owner. The Court admitted. It stated that the deponent was well acquainted with the African coast.—Knows the Mendi language and also the Bandi.—Knew Pedro Blanco at Lomboco. He is sure, from the language, manners and appearance of these Africans, that they were recently brought from Africa.

Court adjourned until 9 A. M. tomorrow, it being agreed that the District Attorney should prepare his statement of the testimony of the absent witness, which should be received as his testimony, and the testimony should thereupon be closed.

*Friday forenoon.*

The testimony was concluded by the introduction by the District Attorney of the testimony of Mons. Viza, the Spanish Consul.



Lewis Tappan  
Amistad

New York, Oct. 4/39 - P.M.

Dear Sir,

We sent a letter by this morning's  
Boat, <sup>directed to a Townsend</sup> but owing to some accident the boat has  
returned. We wrote to request that affidavits  
might be taken, from two or three of the Africans,  
with a view to arrest Minter and <sup>who are in the city</sup> Kew; that  
Covey might remain at New Haven longer, &c.  
As Mr. Staples expects to go in this afternoon  
Boat he and Mr. Baldwin will confer on  
the subject. I do what may be necessary. I  
hope they will forward the affidavits so that  
these men may be arrested on Monday.

Capt. Fitzgerald, of the brig Burrard,  
called on me today, and consents to have both  
Covey and Pratt remain for several days  
longer. In fact he would not be dis-  
posed to have one of them remain here for  
months if necessary. He will probably be  
subpoened as a witness and he sent to be  
convened against Minter & Kew.

M. & R. have published their  
"Narrative" in the Express of today. It is a  
long account. We ought, I think, to  
have the narrative of the Captives pub-



looked as soon as possible. If you concurs  
will you see that it is faithfully prepared, &  
forwarded to us for publication? In the  
Commonwealth Advertiser of to-day, you will see  
that such a document is expected. It will  
do much good. Please write to us on this subject.

I have no confidence in the veracity  
of the standards. It contradicts itself.  
How could they have carried on such  
conversations with the Africans?

Pres. Wayland has sent a donation  
of \$10 with a good letter. He appears  
to feel a deep interest on behalf of the Af-  
ricans.

Many intelligent men, in various  
parts of the country, express much surprise  
at the decision of Judge Thompson.

In a late Boston Courier & a  
keen article, worthy of personal

If vouched by you, by Sedgwick & Townsend  
the better.



He ought to make the most of the  
Providential occurrence. The simple truth,  
wisely pursued, must produce a lasting  
effect. I have long thought that the heart  
of the nation would not be effectually touched  
except through the power of sympathy - either  
for martyred abolitionists <sup>or</sup> murdered slaves.  
but did not anticipate such a mysterious  
Providence as has occurred. It is cal-  
culated to produce discussion that will  
bring up the whole subject matter of slave  
as well as the slave trade.

The girls ought not to be in the jail  
with the men. Will not the Marshall  
permit them to live in some private  
family? He can if he pleases.

Respy Study

Apr 17th

Glenn Tappan

Rev. L. Bacon



[1840 Jan 17]

Rev. Leonard Bacon & Co

New Haven

Dear Sir

X

The object of the present is

to obtain some information relative to the course  
of Colonization as connected with the Colony of  
Liberia.

At a meeting of the Anti Slavery  
Society a few evenings since, it was stated as a matter  
why the reports of the Committee should not be sent  
to Liberia, to be sent them to their respective towns,  
and that in two days they would all be in bridge  
again, & that this information was obtained from  
Dr Bacon, your brother, recently from the Colony.

Therefore, application would be made to the Genl  
Government or rather the Executive, to have them  
sent to Sierra Leone & from thence to the interior.  
(You will readily see the drift of such a statement.)



I wish therefore to enquire whether such was the  
statement from your brother? I should write to  
him, but not knowing his address I leave this  
to you. Your early reply will greatly oblige

Very respectfully

Wm. M. S. P.

Henry Smith

& Edmund Smith

Ed. Smith Esq. will inform you the matter is.

Yrs.

The question I mean to propose is whether your  
brother was told that the officers, friend &  
sister of those to the interior, would be embarked within  
two days after their arrival? -

Yrs.



Philadelphia October 26. 1840

My dear Sir

On receiving, last week, the anti-Slavery Reporter, containing your appeal in behalf of the capture of the Amietan, and the interesting letter of the Bro. Hale, I read them both to my school, and said to my scholars that I would receive with great pleasure any offerings they might present, and forward the amount to you. I have already received seven dollars, and shall doubtless receive some more. I shall add \$5 to the amount as my donation, & would add more were it not that the great & good cause of Freedom had made such large draughts upon me this year.

If you will write me a letter authorizing me to receive any money for this most excellent object, I will have the fact stated in one of our daily papers, and your appeal appended thereto. Or rather I should say, I will try to do this - for all our papers are as much slaves to <sup>the</sup> evil spirit of Slavery, as the



poor negro of the South is to his talk-matter: You  
may ask what has this subject to do with American  
Slavery as it is? I answer, nothing, in ~~any~~ reality -  
But there is so much pro-slavery feeling in this city -  
so much trade is there with the South - so many family  
connections with the South - so many fortunes made  
out of Southern produce - so many living on the products  
of slave-labour, that the moment you mention  
the name of negro, or bring the black-man before their  
vision, their consciences "start up alarmed"; the Demon  
of Slavery seems to stalk before their frightened imaginations;  
they see it flitting here and there; appearing & disappearing  
at every turn, until at last in their frenzy they exclaim,  
in the language, & something in the spirit of Macbeth  
to the ghost of Banquo - "Hence, horrible shadow,  
Unseen mockery; hence!"

In the Name of Him who when on earth said "inasmuch  
as ye have done it unto one of the least of these ye have  
done it unto me", I thank you and your co-laborers  
for what you have done and are doing for these



sons of Africa, so lately sunk in the lowest barbarism.  
How infinitely will you be rewarded if even but one  
of them should return to his native continent, and  
become, there, a missionary of the cross.

With sincere esteem

Your friend & brother in the Gospel,  
Chas. H. Cleveland



Winst. Nov 28 1840

Rev. L. Bacon

Dear Sir,

I enclosed, I send you twenty  
+ two <sup>50</sup> hundred dollars (\$22-21) being a collection taken  
in my congregation on Thanksgiving Day - the  
benefit of the "Orphans of the 'Orphan's"  
you are at liberty to appropriate the amount  
for their education - or for their defence before  
the M. S. Courts - or divide it between the two - or  
just as this best welfare demands -

With respect yours in the cause

P. L. Parmelee



Cuba Allegany Co. N.Y. Dec. 9th 40

Sir

Above is a draft for \$15 payable to your order  
for the use of the Amistad negroes. —

Is there no way in which they can appeal to  
the Queen of England, as freemen, citizens of the  
world, making application to the only government that  
has the power & the will to prevent slavery, to protect  
them in their rights.

O. P. D.

Reverend Leonard Bacon

New-Haven Conn.



L 1841 Apr 15

New York, April 15<sup>th</sup>

Rev. Lemuel Bacon,

New Haven,

Dear Sir,

The committee instructed me to write to you to request that you will make an address at the meeting we propose to have, with reference to the liberal Africans, in the Broadway Tabernacle, Wednesday, April 12<sup>th</sup>. It is our intention to have 8 or 10 of the most intelligent of them present, to read, sing &c. - to have the friends state some interesting facts - to have one of the committee make some statements - and to have an address from you if you will comply with our request. The object of this meeting is two fold - 1. to raise funds for the support and instruction of these Africans by the sale of tickets, and 2. to awaken an interest in the community with reference to their return to their native country & to open, carrying the gospel in their hands & hearts.

With much respect

Yours truly,

Lewis Tappan